LUIGI STURZO

CHURCH AND STATE

NEW YORK
LONGMANS, GREEN AND CO.
1939

TRANSLATED BY BARBARA BARCLAY CARTER
(LIC. ÈS. L. PARIS)

LONGMANS, GREEN AND CO.
114, FIFTH AVENUE, NEW YORK.

Nihil Obstat:

ARTHUR J. SCANLAN, S.T.D.

Censor Librorum

Imprimatur:

✠ FRANCIS J. SPELLMAN

Archbishop, New York

New York, September 8, 1939

TRANSLATOR'S PREFACE

THE purport of the present work, as the author explains in his introduction to the French edition,[1] here omitted, is neither theological nor juridical, nor has it an apologetic character. It is a study of the outcome through the ages of the interplay of the religious values of Christianity and the civil and political values of secular society. In a word, it falls under the heading of sociology, but of that new sociology of which Don Sturzo himself is the prime mover, which, refusing to content itself with analysis and tabulation, seeks to seize the realities of associated life in their living, ever-changing and hence historical expression. It may be called historical sociology, or *integral sociology*, in that it is concerned not only with the material institution but with the spiritual impulse behind it, with the realisation that man's spiritual exigencies are as intrinsic to him as his economic needs ; it is plain historical fact that he has not lived by bread alone.

The present book is the fruit of seven years of labour and of a lifetime of profound and varied preparation. Before he embarked on the social and political action that would absorb his middle life, Don Sturzo had taken his Doctorate in Divinity at the Gregorian University of Rome and an equivalent diploma in Thomism at the Academy of Thomist Philosophy; he had in addition made a special study of Canon and Civil Law and had taught as Professor of Philosophy and Sociology. The contrast between these scholarly beginnings and his public activities is only apparent; his action was throughout animated by a vital philosophy, while through his direct experience of collective life in its most varied forms, religious and secular, municipal, economic, regional, national, international, his sociological theories were tempered and tested, acquiring a penetration that no amount of aloof enquiry could have brought. It is a dictum of Don Sturzo's favourite philosopher, Vico, that man truly knows only what he does or makes.

[1] Les Editions Internationales, Paris, 1938.

In his *Essai de Sociologie*,[1] Don Sturzo expressed the quintessence of his social theories; in the present work these appear but as recurrent *leitmotifs*, orchestrated themes shaping the crude material of history into symphonic unity. In Church and State he sees not merely institutions but the spiritual and temporal poles of all human life, individual and social, expressions of a duality to be found in every sphere, reflecting the concomitance of sense life and spiritual life in man. If Church and State tend to form a *diarchy*—defined as the co-existence of two powers, each limiting the other, but with one or the other predominant through an equally universal tendency towards a *unification* that is never complete—if at the same time there is always latent conflict between them, so that their duality may turn to dualism (a word which in Don Sturzo's vocabulary bears a sense of antagonism), it is because in every form of social life and in human society as a whole two currents are invariably present, the '*organisational*' and the '*mystical*' or ideal,[2] the one tending to conservation, to practical constructions that perpetuate an established order, the other to renewal, with sharpened awareness of present deficiencies and impellent aspirations towards a better future. The distinction between them is never absolute, for they are made up of human individuals and reflect the complexity of human minds; their action is an interweaving, the one eventually consolidating something of what the other conceives, yet they come together only to part anew; the conflict they manifest is the conflict between the ideal and its always only partial realisation, between the letter that kills and the spirit that quickens, and while the Church is essentially the expression of the mystical current in the face of the State—though, as will be seen, there are moments of history when the roles are reversed, and they are always in varying measure combined—in the Church as in the State the two forces are perennially working.

[1]Bloud and Gay, Paris, 1935.

[2]'Whereas the word "ideal" generally signifies something intellectual and rational, perceived as an idea, the word "mysticism" has a sense of faith, adherence, affection, and at the same time indicates something mysterious, like a higher force with compelling power. It is thus that we may speak of a mysticism of liberty in the XIX century, as to-day of a mysticism of force' (*Essai de Sociologie*, p. 202).

It is the variance of these forces that produces the dynamism of history, making of it a continual and creative process. For Don Sturzo, everything that comes to man as an idea impelling him to action enters into human process and forms the object of history no less than the action or institution in which it finds embodiment; thus every cross-section must be taken as a whole, with its philosophy, art, literature, economy, religious and political expression, all moulding the social physiognomy of the age and moulded by it. By what he calls *resolution into synthesis* in each new phase the various elements, ideal and practical, fall into a new pattern by which they are themselves renewed. Therefore, too, it admits of no discontinuity, but each phase is as it were a natural growth, with roots stretching far into the past.

There is no determinism in this conception, and it is because he posits human freedom as the animating principle of history, that Don Sturzo speaks always of historical process rather than of evolution, which has a certain flavour of necessity. At the same time he sees history as moving, by its immanent forces, from a transcendent principle to a transcendent end. 'A mixture of free and conditioned, of individual and social, in a continuous process—so we see history,' he has written elsewhere,[1] 'but from the providential standpoint, beneath this human ant-hill, enclosed in its cycle of conditioning factors and volitions, of thoughts and acts, are hidden higher ends, whether known or not, which reveal themselves, in their objective ripeness and in our subjective ripeness to perceive them, as willed by God.' It is a passage that sums up his outlook. Humanism and Christianity, he holds, which form the two-fold basis of our civilisation, even when they are at variance integrate each other, tending always to a synthesis, or as Blondel has it—and for him too it is a fundamental thesis—a *pacification*. The two are inseparable, and whenever an attempt is made to divide them a profound crisis ensues, social and in the individual soul.

'The sociological history of the Church,' wrote Father Bruccolieri, reviewing the French edition of the book in *La Civiltà Cattolica*, published by the Jesuits of Rome, 'even with all its dark places, is always of itself an apologia of the Christian religion. Through the cold and

[1] *Politics and Morality*, p. 215.

objective researches of the sociologist, Don Sturzo's weighty volume reveals the mind and heart of a man who sees only in Jesus Christ the solution of all the problems that perturb our age.' The Redemption, indeed, brings the synthesis of grace and nature, transmuting all human values; with Christ the divine entered into human process as the history of the Word Incarnate, the very core of humanity, an impulse always working not only in the Church but in 'the whole world which has been, mystically, conquered by Christ and potentially lives in Him'.[1] Not only the illuminations of saints and sages, in whom the divine imprint in history is most manifest, or the believer's conscious fellowship with God, but the aspirations of all men of good-will, all affirmations of truth, justice, morality, love, with the inner law by which man seeks the good, draw their sustenance from this supernatural source. And thus, even in periods of cataclysmic ruin, the Christian impulse remains, perennial principle of hope and of renewal.

It is this integral vision that makes Don Sturzo's history of Church and State, of the ever fruitful tension between spirit and matter, a living whole, in which the most revolutionary changes reveal themselves as the fruit of long preparation, the embodiments of what has been ripening, it may be for centuries, in the world of thought. We see not only the woven tapestry but the weaving. The design changes before our eyes, as united Christendom rises from the ruins of the Roman Empire, as that unity dissolves with the emergence of the sovereign States and must be sought anew, on another basis, as the State tends more and more to disengage itself from religious ties, becoming the secular State of modern times. New *motifs* are continually appearing, to blend into vaster patterns (Don Sturzo calls them syntheses) to which we may give a name—the Carolingian Renaissance . . . the Age of Humanism . . . the Romantic Period . . . but the web is continuous. Events thus seen in their context, in their origins and ambience, shaped now by powerful personalities, now by anonymous multitudes, hold a richer significance, bringing new understanding not only of the past but of the present in which the past lives on. And thus Don Sturzo carries the story from the first affirmations of Christianity, as a voice proclaiming the Good News, as a com-

[1] *Church and State*, page 560.

munity withdrawn from the world yet transforming the world, to our own day, when the problems of the very hour, social, economic, political, fall into their place in the historical process and are studied not in themselves but in their relationship to the moral values which Christianity holds, represents, fosters and actuates in its unfailing influence on political society and on human thought.

The originality and importance of such a book, with its luminous interpretations and rigorous historical accuracy are self-evident. It may, however, be of interest to quote the judgment of two continental scholars, the one a philosopher, the other an historian.

'What is it that we most admire in Don Sturzo's recent monumental work: *Church and State?*' asks Professor Archambault. 'The immense and disciplined erudition that allows him to handle with ease a mass of documents and facts which for another would be overwhelming? The surety of doctrine and thought, which never hesitates and never stumbles? The experience and the political sense which even with the finest audacities maintains a firm grasp of reality? What is certain is that we are here in the presence of a masterpiece in which none can fail to find profit.'

While Professor Palanque expresses his 'wonder in seeing how twenty centuries of the Christian past have been penetrated and assimilated without inexactitude by one who is no professed historian, and claims competence only in sociology'. It is, he declares 'a fundamental work'.

B. B. C.

CONTENTS

PAGE

TRANSLATOR'S PREFACE - - - - - - - - - 5

PART I

THE CHURCH AND CHRISTENDOM

CHAPTER

I. CHRISTIANITY AND THE ROMAN EMPIRE - - - - - - 21

§ 1. Christianity, its novelty from the sociological standpoint—Factors of social transformation—The Church as a visible society; its autonomy—New value of human personality.

§ 2. Social detachment of early Christians from pagan world—The Kingdom of God—Tendency to 'social anarchism'—Persecutions and individual passive resistance.

§ 3. Idea of evangelical freedom and its effects—Edict of Toleration, co-existence of the Christian Church and pagan worship; relations of both with Empire—Constantine and his conception of 'External Bishop'.

§ 4. Predominance of Christianity and first phase of intolerance—Heresies and imperial policy—Athanasius, Ambrose, Basil, Leo I—Gelasius I and formulation of dualistic theory of powers—Codices of Theodosius and Justinian: the Christian Empire—Mystical currents, monachism—Pelagianism—St. Augustine's *City of God*.

II. CAESARO-PAPISM AND LATIN ORGANISATION. FROM THE FALL OF THE WESTERN EMPIRE TO CHARLEMAGNE - - - - 44

§ 5. The diarchy 'State-Church'—Byzantine Caesaro-Papism—Organisational diarchy and papal Rome—Conversion of barbarians, confusion of spiritual and temporal powers.

§ 6. Gregory the Great, his missionary work and influence—Formation of a new West—Political power of Popes—The Lombards and Franks—Threat of Islam in Mediterranean—Donation of Constantine.

§ 7. Charlemagne—Enlargement of Frankish kingdom; incorporation of Lombard kingdom—The revival of culture—Alcuin, the Academy—Ecclesiastical policy—Leo III and proclamation of Charle-

CHAPTER PAGE

magne as Emperor—Beginning of mediaeval diarchy—Collections of ecclesiastical laws and documents and the *Pseudo-Isidoriana*.

§ 8. Basic elements of Carolingian State—Influence of Church and accentuation of mediaeval diarchy—Break-up of Carolingian Empire—Clash of social forces and decadence of Papacy.

III. PAPACY AND EMPIRE. FIRST PERIOD (962–1153) - - - 70

§ 9. The feudal system, its influence on the social structure, secular and ecclesiastical—The Romano-Germanic Empire, its typical features—Diarchy Papacy-Empire.

§ 10. Reform of Church, struggle against marriage of clergy, struggle against investitures—The Normans in Italy and in England—The unifying tendency in the Papacy: Gregory VII; the dualistic tendency: Paschal II—Compromise in Peace of Worms.

§ 11. Supremacy of *Sacerdotium* over *Regnum*—'Direct Power' of Popes—Affirmations of Divine Right of Kings—The Two Swords—Canon Law and its predominance.

§ 12. Corporative and organic conception of mediaeval society—Communes and people—Chivalry and the Crusades—Abelard and Scholasticism—St. Bernard; his influence.

IV. PAPACY AND EMPIRE. SECOND PERIOD (1153–1313) - - - 94

§ 13. Frederick Barbarossa, Alexander III and the Lombard League—Thomas Becket and Henry II of England—Innocent III and theoretical formulation of papal power in mediaeval structure.

§ 14. Heretical movements; the Inquisition, the Albigensian Crusade—Mystical and popular movements, Joachim de Flora—Corrosive ferments in mediaeval structure.

§ 15. Frederick II of Swabia; his conception of the State—Innocent IV and theory of ecclesiastical mediation—St. Thomas Aquinas and distinction of the two powers.

§ 16. Decline of imperial authority—Boniface VIII and his struggle with Philip the Fair—The *Fraticelli*, evangelical poverty; sovereign power of Popes over the world—*Unam Sanctam*; John of Paris and *De Potestate Regia*; Dante's *De Monarchia*.

PART II

THE CHURCH AND THE MODERN STATE

V. FROM THE MIDDLE AGES TO HUMANISM - - - - 127

§ 17. Character of Humanism, criticism of conception of Middle Ages and Humanism as antithetical—Principal aspects: Roman Law, philosophy, philology—Influence and dominance of *élites* of lay and ecclesiastical culture.

CHAPTER PAGE

§ 18. Dispute between Papacy and Ludwig of Bavaria—William of Ockham and Nominalism—The Spirituals and Church property—Marsilius of Padua, conception of sovereignty and first indications of modern State.

§ 19. Administrative centralisation and fiscal system of Popes and Avignon, repercussions throughout Christendom—The 'Babylonish Captivity', St. Bridget of Sweden, St. Catherine of Siena—Disintegration in Church and Empire; the Golden Bull; Nationalism; Black Death and popular risings.

VI. THE GREAT SCHISM AND THE RENAISSANCE - - - - 152

§ 20. Crisis of Papacy and Schism of the West—Conciliar movement—Nationalities: concordats of Martin V—Pragmatic Sanction of Bourges and similar concessions.

§ 21. Anti-ecclesiastical and reformist movements: Wyclif, John Hus, Jerome of Prague—The problem of the Jews—Nationalism and unity of the Church.

§ 22. Transition from Middle Ages to Modern Times—Fall of Constantinople and diffusion of Greek culture; discovery of New World, crisis of universalist conception of West—Renaissance paganism.

§ 23. Three Florentines: Marsilio Ficino (Platonism), Machiavelli ('politicism'), Savonarola (Christian renewal).

§ 24. Progressive monarchisation of State and Church—Concordat of Francis I of France and Leo X—Hierarchy and secular clergy under influence of Monarchy, religious Orders under that of Papacy—Praxis of Roman Curia and Bulls dividing New World between Spain and Portugal.

VII. REFORMATION AND COUNTER-REFORMATION. FIRST PERIOD (1517–63) - - - - - - - - - - 192

§ 25. Indulgences and Luther's rebellion—His religious theories: Faith-Grace, the Word as Scripture—Separation of inward from external ethics—Beginnings of system of State religion (*cuius regio illius et religio*).

§ 26. Calvin and theory of predestination—Voluntarist trend and 'State-Church' of Calvinism—Henry VIII and English schism—Spread of Reformation.

§ 27. Idea of General Council—Charles V and Francis I; political interferences—Clement VII and the sack of Rome—Mystical movements and the Catholic Reformation: the new Orders; culture and art; Erasmus of Rotterdam, Michelangelo.

§ 28. Opening of Council of Trent, its phases—Political and ecclesiastical difficulties—Rupture with Reformers—Cardinal Morone, St. Charles Borromeo, the Jesuit Laynez—Dogmatic and moral bases of Counter-Reformation—Failure of 'Princes' Reformation'.

CHAPTER PAGE

VIII. REFORMATION AND COUNTER-REFORMATION. SECOND PERIOD (1563–1648) - - - - - - - - - 231

§ 29. Resistance and assent to Council of Trent on part of Catholic monarchies—Difficulties of enforcement of Counter-Reformation—Philip II of Spain—Huguenots—Wars of Religion—Catholic League, Henry IV of France, Edict of Nantes.

§ 30. Conflict between conceptions of Monarchy as popular or absolute—'Legitimacy of Kings'—Mediaeval conception of papal 'Direct Power', and Bellarmine's theory of 'Indirect Power'—Excommunication of Queen Elizabeth of England—Monocomarchs and the League in France—State religion, its function; first attempts at toleration.

§ 31. Theory of tyrannicide, Mariana, the anti-Jesuit struggle in France—James I of England and controversies over papal power—Santarelli case, Richelieu and the monarchic conception of Divine Right as grafted on to Gallicanism.

§ 32. Emergence of the *State* with the theories of *Sovereignty* and of *Reason of State*—Jean Bodin, Justus Lipsius, Botero—Necessity of an international law—Thirty Years' War and Peace of Westphalia.

IX. THE PROBLEM OF RELIGIOUS TOLERATION - - - - 273

§ 33. Modern origins of conception of religious toleration—Lelio and Fausto Socino and Socinianism—Movements towards toleration in Holland: Remonstrants and Counter Remonstrants—Grotius and Natural Law, repercussions on conception of State and Church.

§ 34. Movements towards toleration in England and the various religious currents—Latitudinarianism—Struggle between Parliament and Monarchy—Erastianism—Milton and the *Areopagitica*—Hobbes and the *Leviathan*—William of Orange and the Act of Toleration—Locke and his *Epistola de Tolerantia*; affirmations of Natural Law—Toleration in English colonies of America.

§ 35. Jusnaturalism in Germany; Althusius, Pufendorf—Attempts at interpretation of Peace of Westphalia—Beginnings of Prussian State—Idea of toleration in Scandinavian States and Switzerland.

§ 36. Individualist tendencies and tendencies to disintegration in Catholic countries, on margins of Church and State—Descartes and reason—Laxism and Casuistry—Molinism, Jansenism, and Pascal—Louis XIV and Gallicanism—Politico-religious intolerance.

§ 37. Quest for religious unification—Leibniz and Bossuet—Leibniz's philosophical basis and his optimism—Classical and Jesuit optimism in the face of Jansenist pessimism.

X. JANSENISM, JURISDICTIONALISM, THE ENLIGHTENMENT - - 314

§ 38. The anti-Jansenist struggle and the French Monarchy—The 'case of conscience'—The Bull *Unigenitus*, the 'Appellants' and the Gallican Bishops—Refusal of the Sacraments, provisions of Parlements and courts, Bull of Benedict XV.

CHAPTER PAGE

§ 39. Jurisdictionalism, pre- and post-tridentine, its varying character—Anti-Roman theories on Church and State: Regalism, Gallicanism, Febronianism—Jurisdictionalism of XVIII century, State reforms and intervention in ecclesiastical sphere—Papal disputes with Catholic States and various concordats.

§ 40. Struggle against the Jesuits—'Reductions' of Paraguay—Expulsion of Jesuits from Portugal—Expulsion from France—Expulsion from Spain, Naples, Sicily, Parma, Piacenza—Election of Clement XIV, Bull *Dominus ac Redemptor* and suppression of the Company.

§ 41. Development of naturalism and rationalism—Period known as Enlightenment; lack of historical comprehension—Montesquieu and *l'Esprit des Lois*—Voltaire, the Encyclopedists and reform—Freemasonry.

§ 42. The Enlightenment in England—David Hume, Adam Smith—Religious movements, Methodists, Evangelicals—The *Aufklaerung* in Germany, Christian Wolf and rationalism—Influence of English sensationalism—Pantheistic tendencies, Lessing, Goethe—Italy: Giambattista Vico and his philosophy—Spiritual movements, Jansenism—*Illuminismo*, Beccaria, Parini, Alfieri.

§ 43. State reforms—Religious toleration in Catholic countries—Journey of Pius VI to Vienna—Beginning of toleration of Catholics in Protestant countries—Constitutionalist infiltrations and new conception of the State—Montesquieu and division of powers, Rousseau and the Sovereign People.

PART III

THE SECULAR STATE AND THE CHURCH

XI. FROM THE FRENCH REVOLUTION TO THE HOLY ALLIANCE - - 369

§ 44. Declaration of Independence and of Rights (Philadelphia, 1776); Declaration of the Rights of Man and of the Citizen (Paris, 1789); their significance and differences—Fall of the *ancien régime* in France and Civil Constitution of the Clergy—War of 1792 and the democratic republic.

§ 45. Three stages of relations between State and Church during Revolution: official cults, separation, concordat—Their motives, significance and effects: Secularisation of State—Napoleon and Pius VII.

§ 46. Individualist democracy and State centralisation from Revolution to Napoleon—Idea of State and idea of Nation, Fichte's theory—Liberal State and international peace according to Kant.

§ 47. Fall of Napoleonic Empire and Restoration—Principle of Legitimacy and union of Throne and Altar—Congress of Vienna and proclamation of Holy Alliance—Mystical and traditionalist movements: De Maistre, De Bonald, Maine de Biran and others.

CHAPTER PAGE

XII. LIBERAL, NATIONAL AND SOCIAL MOVEMENTS—POLITICAL AND RELIGIOUS REACTION - - - - - - - - 399

§ 48. Political reaction in Europe; economic and civil motives of liberal movements—Pius VII contrary to freedom of worship, conscience, press and mistrustful of constitutions—Attempted return to confessional and jurisdictionalist State—Position of Protestant and Orthodox Churches—Situation in England.

§ 49. Modern idea of Nationality, its realisation—Romanticism, its influence on liberal, national, religious movement throughout Europe—Two currents of reform, liberal, among middle-classes, social, among working-classes—Liberal Revolutions of 1830 and fresh affirmations of democracy—1848 and the Communist Manifesto.

§ 50. Catholic movements in favour of liberty: O'Connell in Ireland, Lamennais in France; Gregory XVI and the Encyclical *Mirari Vos*—Revival of Liberal Catholic movements—Neo Guelfs in Italy: Manzoni, Gioberti, Rosmini and others—The July Monarchy and French Catholics—Election of Pius IX and Father Ventura's address on liberty—Catholics and 1848—The crisis, flight of Pius IX to Gaeta and his return to Rome.

§ 51. Liberalism and its meanings, economic liberalism in England, Chartism and working-class reaction—Political liberalism of French bourgeoisie, limits of ethical and religious liberalism—Features of opposition of Catholic Church and other churches to liberalism—Revival of Liberal Catholics in Europe, Malines Congress (1863) and Montalembert's two addresses—Encyclical *Quanta Cura* and the *Syllabus of* Pius IX.

XIII. FROM THE VATICAN COUNCIL TO THE CONDEMNATION OF MODERNISM (Pius X) - - - - - - - - 434

§ 52. The Vatican Council, failure to invite Catholic sovereigns—Anti-Catholic controversy and division among Catholics—Definition of Papal Infallibility and subsequent schisms—Bearings of Council and cult of Papacy—Fall of Temporal Power; its religious and political consequences.

§ 53. The Third Republic in France, the new German Empire, United Italy—Liberal and constitutional systems of Europe and America and the secular State—The three theories of politico-social orientation: Comte's Positivism, Hegel's Idealism, Marx's Socialism.

§ 54. Leo XIII and Catholic reconstruction: the recall to Thomism (*Aeterni Patris*, 1879), definition of nature of State and of Liberty (*Immortale Dei*, 1865, *Libertas praestantissimum*, 1888); lays foundations of Christian Social action (*Rerum Novarum*, 1891)—Christian Democracy—Policy of the *ralliement*, Dreyfus Case, separation of Church and State in France—Americanism—Modernist crisis—Policy of Pius X.

CHAPTER PAGE

XIV. FROM THE GREAT WAR TO THE CRISIS OF THE LEAGUE OF NATIONS 467

§ 55. Position of Church in World War—Problem of justice of war and support of clergy for national cause—Benedict XV and his efforts for peace—Woodrow Wilson, the League of Nations, its secular character—Reservations of Catholics and their initiatives.

§ 56. Russian Revolution, collapse of Central Empires, democratic social movements of post-war period—Popular parties of Christian inspiration and Popularism—Various experiences of totalitarian States: Russian Bolshevism, Italian Fascism, various dictatorships, Germanic Nazism—Attempts at dechristianisation.

§ 57. Fascism and the Papacy—Solution of Roman Question and creation of Vatican City State—Concordat between Pope and King of Italy—Fascist State, Encyclical of Pius XI *Non abbiamo bisogno* and agreements of September, 1931—Juridico-political effects of a repudiation of Concordat—Experiments in course.

§ 58. Peace crisis—Disarmament Conference—Abandonment of League of Nations by Japan and Germany—Unconditional admission of Soviets—Continued membership of Italy, despite violations of Covenant—Italo-Abyssinian War; Italy an aggressor State; sanctions, negotiations, epilogue—Position of Church in face of international organisation—Churches and Italo-Abyssinian War—Declarations of Pius XI, attitude of clergy and Catholic laity in Italy and elsewhere—Moral crisis.

§ 59. Revolt in Spain; massacres, civil war; foreign intervention; Pope's speech and *mise au point* in the *Osservatore Romano*—Position of Catholics; theory of holy war and crusade; letter of Spanish Bishops—Position of Catholics in other countries; constitution of Committees for a civil and religious peace of conciliation.

§ 60. International situation subsequently to Spanish war—Non Intervention—Anglo-Italian Gentlemen's Agreement—Rome-Berlin Axis—Rome-Berlin-Tokyo—Mediterranean piracy and Nyon Agreements—Sino-Japanese war—Occupation of Austria—Threat of war and dismemberment of Czechoslovakia—Anti-semitic persecutions—Crisis of international moral values and repercussions on Christian civilisation through substitution of force for law—Position adopted by Pius XI on exaggerated nationalism, racialism and anti-semitism.

XV. THE PRESENT SITUATION - - - - - - - - 526

§ 61. Tendency of secular State towards 'confessionalism' of its own, and position of Church on a platform of liberty—Secular ethics imbued with Christian values: human personality, social justice, international peace—These rendered ineffectual by conception of Ethical State—Struggle of Church with State in moral sphere in defence of Christianity as autonomous, universal, personal religion.

§ 62. Resistance of Church to totalitarian States with formation of intellectual and active *élites*—Catholic Action, its character, importance and function in modern States conceived as *Weltanschauung* in

conflict with Christianity—Present position of Catholic Church and other churches in various countries of Europe and America; England and the Prayer-book controversy, the Church in mission countries—Attempts at so-called Catholic States: Ireland—Poland—Austria—Portugal—Spain—Political problems of Church in mission countries and colonies.

§ 63. Individual Diarchy as modern type of diarchy of Church and State; its character—Sociological character of limitation of political power on moral ground—Various historical aspects of this limitation by Church through *Direct* Power, *Indirect* Power, *Directive* Power—Function of Catholic Action: penetration and purification (Jacques Maritain), detachment for conquest (Etienne Gilson)—How and why State from age to age presents itself as irreducible to Christian thought ; error of separation of natural from supernatural, of humanism from Christianity—Maurice Blondel's philosophy in orientation of modern culture—Need for widest comprehension of redeeming synthesis of Nature and Grace—Essential duality, effectual diarchy and eventual dualism between Church and State, henceforth chiefly on plane of social ethics and spiritual unification.

PART I

THE CHURCH AND CHRISTENDOM

CHAPTER I

CHRISTIANITY AND THE ROMAN EMPIRE

§ 1.—The novelty of Christianity from the sociological standpoint, as compared with other religions, lay in breaking down all imperative relationship between religion and the family, clan, nation or empire, giving it a personal basis in conscience. Not in the temple at Jerusalem, the symbol and centre of the Jewish religion, but in every place might the Father be invoked and worshipped. No bond of kinship, race or nation was to be respected if it drew a man away from God and infringed the rights of conscience. No interest, no political motive could compel the performance of acts not conformable to Christian faith and morals. God must be served before men. Another innovation, logically linked to the first, was the universality of the 'Good News', addressed to all peoples and all classes, Jew or Gentile, Greek or Barbarian, rich or poor, master or slave. All were called to renounce their gods and to adore the One True God in spirit and in truth. Finally, there was the constitution of the Church, a single, visible religious society, extraneous to political or domestic institutions, autonomous and independent, founded on definite beliefs reputed as truths, indeed as truth itself.

The effects of such an event in the sociological field (as well as in other fields outside the scope of the present study) could not be other than revolutionary. A first consequence was the humanisation of the other two social forms, the family and the political society. There would be no more household gods, divine expressions of the family unity, no more empires conceived as divine forms of power. Families, kingdoms, empires would be purely human forms, means and not ends for man, unfitting means often, such as to turn him away from his true end, means in that case to be renounced and abandoned, so that each man could find the true life within himself and be able to say

that whoever did the will of God was to him brother, husband, father and mother.

Thus, with the inversion of the social values of the pre-Christian world, human personality took the place formerly held by the social groups. Human personality, hitherto misconceived and misprized, became, in virtue of religious recognition, the centre and end of all collective activity. It was summoned to build up society anew as by a new creation. All men are brothers, there is one father, God. Here was a new social form of an ethical and mystical character, which would transform all social relationships. Slavery, a social institution that had lasted thousands of years, lost its ethical basis, even while its economic basis remained. No longer would there be ethical justification for the polygamous family founded on the slavery of woman, for a State exercising absolute dominion over its peoples, for wars of extermination, for a caste economy, or for any form of oppression or social injustice.

The universality of Christianity is inherent in its very nature as an exclusive religion: the unity of God and the brotherhood of men must allow no social or political barriers to block the way. All the local gods must give place, all the pretensions of castes or nations must vanish. Even Judaism, from which, historically, Christianity springs, is by Christianity set aside—like the morning dusk at the coming of daylight, the forerunner on the advent of the Messiah, the symbol at the manifestation of the reality.

Christianity as a positive religion demanded a concrete, visible and permanent social form, universal and hence independent of family or State as of the exigencies of races or nations. Without such social form of its own Christianity would have remained like Confucianism, a moral doctrine and not a religion. If it had rested on a political or politico-military structure, it would have been limited by it, like Mohammedanism. The idea of a single empire embracing all Christendom was an attempt to associate the universality of the Church with the like universality claimed by the political power. When this proved impossible of realisation, the idea would prevail of national Churches bound and subject to the powers of the State. But in the spirit of Christianity and throughout its manifold and millenary experience, any limitation, any subjection to other social forms, have always

proved a contradiction, and have always led to prolonged and arduous reaction for the reconquest of a wider autonomy.

By contrasting the autonomy of Christianity with the position of the pre-Christian positive religions we are not asserting that these too had not a certain autonomy, at least at an initial and virtual stage. The three basic social forms—family, political society, religious society—tend always to emerge and to win a physiognomy of their own, even when their organs and ends interpenetrate and coincide. In each form there is the intrinsic tendency towards autonomy. But before Christianity the religious form never succeeded in winning autonomy under the twofold aspect of content and of organisation, for the reason—sociologically incontestable—that no pre-Christian religion, not even Judaism, was based on human personality as a spiritual value in order through personality, and by it alone, to arrive at society as a unitary whole. On the contrary, all the pre-Christian religions were based on the unitary whole represented by particular groups, without any direct resolution into human personality. Resolution, where it occurred, was always indirect and incomplete. In the sociological field Christianity brought about an inversion and re-ordering of values. Society is nothing more than the projection of the individual; all social foundations are laid by the individual. The submergence of the individual in the social form, as in pre-Christian societies, was a deviation and in many cases a perversion; the return of the individual as the basis of every social value is a conversion and a restoration.

In the Christian conception, this conversion and restoration is effected by the Word of God, who, through the hypostatic union, rehabilitated human personality in His Name and by His sacrifice. The society founded by Jesus Christ, the Church, is a society in which each member does not lose his own personality but enhances it in mystical union with the Head, through being raised to the state of grace and personal destination to the Vision of God. In social life, the influence of this conception has been decisive, albeit with the inevitable phases of affirmation and negation, victory and defeat, in a laborious process that is always active and always a battle. Family, State, civilisation, feel its effects as little by little men become conscious of the immense implications of the value of human personality and of its religious elevation.

§ 2.—On the eve of the Edict of Milan (A.D. 313) after nearly two and a half centuries from the first Neronian persecution, Christianity had become a moral and social force which the Empire had not been able either to subdue or to suppress. The last persecution, that of Diocletian, the most refined and the most widespread, had failed in its purpose. There were Christians in nearly every Roman province, in nearly every class and walk of life, with a very wide following among the people and the slaves. The Church had her own organisation, her own ritual and social laws, authorities, tribunals, meeting-places and places of worship, cemeteries, property and economic resources, and internal discipline. All this associative growth, created and ripened either in the darkness of the catacombs or in the broad daylight of mundane life, during the persecutions or in the periods of toleration, contained the seeds of a wider social form that was coming into being both within the ambit of the Empire and on its geographical and political margins.

This might not be perceptible to the adversaries of Christianity or even to the Christians themselves, but it was slowly taking shape. The first Christians formed a world apart. The earthly society they felt neither as an end that concerned them nor as a bond. To them the profane world was alien, indeed inimical; what they looked for was the Kingdom of God. This, understood now apocalyptically, as the End of the World, now mystically, as the reign of spirituality, now organically, as the triumph of the Church, aroused a collective expectancy that overshadowed the present and projected itself into the future. The striving towards a future to be realised more or less immediately was stimulated and enhanced by the persecutions, which detached Christians still more from the profane world. The local churches became centres of more intense life, where rich and poor were united in brotherhood, where all found moral and material help in the face of the common peril. Following St. Paul's advice to submit disputes to their own judges, Christians often had recourse to their presbyters and bishops instead of to the imperial courts. The bishops soon became recognised authorities even in matters outside the religious sphere. The deacons administered funds not only for the churches but for widows, wards and the poor. The enfranchisement of slaves was going forward,

the basis of the family was changing, a sense of fraternal solidarity was growing up. The Christian community could be considered as a State within the State, yet without any intention of seeking political separation, or even a remote aim of forming a distinct political unity.

The originality of the first contacts of the nascent Christian Church with the political society, represented by the Roman Empire, is shown by the fact that the persecutions aroused no violent reaction, no revolt, and indeed no effective resistance on the part of the Christians. In any other case, the persecution of a people, race or class would have aroused in those so cruelly used some sort of resistance on a collective and public plane, and this would have led to the creation of a group-personality antagonistic to the State. But the Christians allowed themselves to be seized and put to death even joyfully; the remnants scattered, went back into hiding, in order to form fresh religious centres and to continue propaganda and proselytism.

A new crime was created: that of being a Christian. For to be a Christian meant (as the facts were interpreted) to be the enemy of the Empire, undermining the foundations of the Empire. The Christians defended themselves against this charge, yet, once the Empire was conceived of as a politico-religious unit, in which the act of imperial worship was the sign of political allegiance, Christians were indeed enemies of the Empire. They could accept neither the worship of the protecting gods, nor the cult of the deified Emperor, nor the pagan rites which permeated the whole of social life, family, city, army, court, and marked the anniversaries of good or evil omen for the community.

From a distance of time, and with clearer ideas on the distinction between the political society and the religious society, we can say that the Christians were good citizens notwithstanding, good soldiers, good imperial functionaries and so on. But at the time not only were these ideas anything but clear to non-Christians, but they would have seemed the very reverse of the truth, for through Christianity the politico-religious conception of the Empire was crumbling. To be a Christian was to be guilty of an offence entailing civil disabilities and criminal penalties. The public acts of Christians were considered null and void, they were ineligible for public office, forbidden to enfranchise slaves,

degraded from military rank or expelled from the army, and liable to confiscation of property, banishment, deportation, forced labour, and corporal penalties up to the most atrocious forms of death. Every means was tried to exterminate the new enemies of the Roman Empire, and yet Christians did not cease to multiply, even in the imperial palaces.

From the sociological standpoint, during the period between the preaching of the Apostles and the Edict of Milan the Christian communities scattered over the Roman Empire might be considered as autonomous nuclei for whom the sum-total of social relationships, reduced to their most simple expression, was synthesised in the religious society. Christians, within the Empire, sharing in the earthly interests of family, class, and profession, yet felt themselves as strangers and were reputed enemies, to be outlawed and persecuted. We shall find something of the same kind at the time of the Albigensians, or of the Hussites and the early Reformers, but with a fundamental difference. In the case of the Albigensians, Hussites and Reformers, revolt and war were possible and were the natural outcome of resistance; the religious problem was carried into the political field. The Christians of the first centuries, on the contrary, denied neither political power in general nor the power of the Empire as such, nor did they put up a collective resistance either in the political field or by armed revolt. They maintained their line of resistance in their own special sphere, that of religion, which had become for them the prevailing social focus of their life. Their resistance took the form either of flight or of public profession of faith and martyrdom. They took as their starting-point the words of Christ: 'Render therefore to Caesar the things that are Caesar's; and to God the things that are God's'; they followed the twofold precepts of St. Peter: 'Be ye subject . . . whether it be to the king . . . or to governors,' but at the same time: 'we must obey God rather than men'. And thus they brought division into the society of the time, shattering its fabric, while forming active social nuclei rendered fruitful by the greatness of their sacrifices. In the face of the Empire as a politico-religious unity, they might be said to represent a kind of *social anarchism.*

The words 'social anarchism' must not be misunderstood. In all

periods when a new social element has found its way into the life of peoples and is so potent as to bring a radical modification of the social structure (and never has there been anything comparable to the Christianity that made its way into the Greco-Roman world), then the passage from one structure to another can come about only through a disintegration and reintegration. The new element is at once solvent and reconstituent. The groups that deny the established order and hence the intrinsic value of the authority in which that order centres and by which it is guaranteed, if they cannot or will not replace it by another and similar authority (it is the case of early Christianity), such groups are for practical purposes anarchic. But since the early Christians represented a new associative force, which expanded from the religious to the political plane, their anarchism was not anti-social, but truly 'social'; their action was not only destructive, but also constructive. Holding closely to the new religious conception, they did not realise how revolutionary they were, nor the crisis in which the Roman world was therefore involved.

When the collapse of the Empire began the Christians were accused of being the cause. The charge could not hold good on the political plane, but it did so on the religious plane. The capture of Valerian by the Persians (A.D. 260) was attributed by the Christians to divine chastisement. It is from that date that we find the resolvent movement towards recognition of Christianity. Diocletian's persecution was the last attempt to stamp out the enemy religion, which had become general and important in all the provinces. Galen, Massentius, Constantius, Licinius, Constantine followed a system of appeasement and toleration, which had then become inevitable. Finally Constantine, sweeping away the last obstacles and Licinius's attempts at a return to persecution, consolidated this system of toleration and religious liberty.

The historical process of Christianity during the first three centuries is in outline a process of liberation, in which the Church affirms her social autonomy, founded on freedom.

§ 3.—In the Gospel teaching freedom is not so much negative and outward as, pre-eminently, positive and inward. Freedom is the achievement or gift (according to the point of view) of a higher life

that brings emancipation and detachment from that which is lower. Hence freedom is conceived as characterising the individual rather than the community; in certain respects bonds are collective, freedom is personal. The Jew is under the Mosaic Law, a collective bond laid upon him by sin, which rendered it necessary; the Christian has been personally freed from it, for he has attained the freedom of the sons of God. The letter is the bond, the spirit is freedom; the passage from the letter to the spirit is an act of liberation. The flesh is a bond, the spirit is freedom; the triumph of spirit over flesh is a liberation. Sin is a bond, truth is freedom; the overcoming of sin by truth or light is liberation.

Human personality cramped by group-religions had become the slave of the laws of the collectivity. It was necessary to break the bonds of family, caste, clan, people, race, city, empire, in order to worship God in spirit and in truth. Therefore freedom was above all a personal achievement, a positive uplifting of the spirit, a complete penetration by the new life of the Gospel, a participation in the divine. Thus conceived, freedom acquires an individual value of the highest order, and an effective and very far-reaching potentiality in the moral and religious field, where the Christian personality must by right and duty assert itself. If life itself is a hindrance to such total assertion, this hindrance is overcome by martyrdom. Earthly life has then become a bond to be broken for the sake of freedom of spirit, and death is liberation.

In the early Christian movement, freedom does not affirm itself as the collective achievement of the Church as a body, but rather as the achievement of the Christian as an individual. It is founded on the vindication of his right to his religion as the light of truth for the regeneration of his soul, reborn with baptism, placed by grace in communication with God, rising again with Christ, living its own life. All this demanded liberty, that is, the breaking of the earthly bonds that would have impeded it.

The early Christians did not raise the question whether the *res publica* or Empire ought to intervene to support the Christian religion, or should abolish the pagan religion, or had in any way the right or duty of recognising the Church. All these ideas came later. In the first three centuries all they asked was that the political authorities should hinder no one, whether citizen or slave, from professing the Christian

faith, that they should not adopt a hostile attitude towards the preaching of the Gospel, nor persecute those who followed it. The liberty demanded by Christians became for the political power a limit which it could not overstep on any pretext. The day it sought to do so, it could only be by force, when it found itself faced by thousands of men who preferred torments and death. Prolonged experience of the use of force against Christians showed how little it served to overcome a religious movement that was autonomous, reforming, conquering. The Empire had to fall back on a policy of toleration till it reached the public proclamation of liberty.

In the second phase, which opens with Constantine, the religious freedom of Christians assumes a new aspect, no longer solely individual but social, no longer private but political. It might seem for a while as if Constantine's toleration were more or less the same as that granted between one persecution and another in the previous centuries; instead, effectual factors had intervened to widen its scope and change its significance. Among these factors we must note the decay of polytheistic paganism among the educated classes and the increasingly marked tendency towards the worship of one supreme god, though admitting of a demiurge (Apollo-Sun) as his manifestation and without as yet excluding the secondary gods at least as symbols. Stoicism and Neoplatonism had acted as solvents of the old religious society. And, on the other hand, because of their growing numbers and force of expansion, Christians could no longer be kept in a position of social inferiority. Christianity was now no longer a minority of initial nuclei which might be tolerated or suppressed (as it was believed) by means of persecution. In the East Christianity was in full flower, not only among the lower ranks but in the cultured and active circles. In the West, too, there were large numbers of Christians among the ruling classes and in the army, forming radiating centres in every province, in Italy, in the Gauls, in Africa, in Britain.

The first idea that seems to emerge from the imperial acts themselves (the Edict of Milan and the document known as Licinius's Prayer), is the proclamation of belief in 'the Almighty Supreme God, creator of all things and dwelling in heaven', as the god of the Empire, common to pagans and Christians, while each man is left free to follow

his own religion. But the Roman Empire was not like the laic and vaguely theistic modern State, nor did Constantine think of depriving it of an official religion. In a first period he was torn between the traditional religion or his favourite sun-cult and Christianity. But he tended towards an ever clearer monotheism, and in fact towards Christianity, which he ended by embracing. The collective conscience of the time was likewise in the throes of the two streams, which under the régime of toleration openly confronted each other. The problem was a tormenting one and had two facets: could paganism remain as the official religion of the Empire? Could Christianity become the official religion of the Empire?

For the first period the Empire maintained, with certain practical attenuations, the pagan cult with its public rites, festivals, calendar, titles, endowments and priesthood, while at the same time encouraging public Christian worship, the building and endowment of basilicas, and even official participation in Christian ceremonies and councils. Roman legislation of the time reveals the two-fold influence of paganism and Christianity. Bloody sacrifices are forbidden, but the prohibition is not carried into effect. Auguries are forbidden in private houses but allowed in the temples. Later the order is given to close the temples, but it is not carried out, and indeed the privileges of the Vestal Virgins and grants for pagan worship are confirmed. On the other hand, the legions are allowed to have their own Christian priests (a kind of military chaplains); pagan and Christian emblems appear together on the coinage; the law against celibacy is rescinded; Sunday is made a day of rest and festival; certain Christian festivals are recognised as imperial feast-days; the public treasury bears the expense of certain Christian councils and the imperial post-service is placed at the disposal of bishops going to attend councils. The exemptions and privileges of the pagan priests are extended to the Christian clergy; the bishops are recognised as voluntary judges in civil questions; the bishops are exempted from the criminal jurisdiction of the Empire; the enfranchisement of slaves in Christian churches is authorised; the Church is exempted from public taxes, and so on.

It was natural that the Christian Church, once placed on a footing of freedom, albeit merely as a tolerated religion, should fight with all her

strength against a paganism reputed as impiety. This struggle was carried into the moral and cultural sphere. Since the general culture of the age was classical, Christians sought to make it their own, adapting it to the ideas and exigencies of their faith, both as philosophy and as art. The persecution of Christianity by Julian the Apostate was mainly carried on in the sphere of culture and education.

The struggle against paganism brought an impulse to obtain public legislation favouring Christian ideas and principles, in respect of the family, morals and religion; hence an impulse to attain high positions in the Empire itself. Once the Emperor was a Christian, he was a part of the Christian Church, subject to its laws and precepts. From that day forth, and even earlier, churchmen became the Emperor's intimate advisers and ruling factors in imperial policy, from Hosius and Eusebius of Caesarea, at the court of Constantine, to the famous ecclesiastical counsellors of East and West in the IV and V centuries. Both general legislation and the special provisions of the Emperors tend more and more (with opportunistic oscillations) towards the establishment and predominance of waxing Christianity rather than towards the waning paganism. In the course of the IV century the positions are completely reversed; paganism ceases to be the official religion and becomes a tolerated religion, though still preserving the force of its tradition, while Christianity, formerly merely tolerated, becomes the official, or better, the prevailing religion. After the parenthesis of Julian the Apostate, the pagan cult gradually fades away. It survives in the countryside, filters into Christian circles as a residuum of culture, habits, superstitions, and contributes to laxity of morals.

Freedom of conscience and of worship, which Christians had already vindicated as an individual right, with the Edict of Milan passes to the collective plane and becomes a political problem. The conscience of the age could not admit of an Empire unattached to any religion; the Empire was constrained by events and by its own legislation in favour of freedom to balance the forces of one religion by those of the other. In order to survive and to face the barbarian invasions it had to maintain a unity between the various forces and currents that were undermining it, and to restore the consciousness of imperial 'Romanity', which early Christianity had shattered. Its religion would no longer be

paganism, but a Christianity that was assimilating Greco-Roman culture within the framework of the new faith, and which alone could create a new unitary consciousness. Freedom of worship was a political means to this end, for thus Christianity came to share directly in the life of the Empire. But this freedom was granted or denied by the Emperors according to whether they favoured Christians or pagans, orthodox Christians or heretics. It was used to ensure the dominance or predominance of this or that party or faction; it was made an instrument of appeasement or a title to privilege; it was suspended or abolished when the political power required, or as a measure of public order.

The Church from the beginning, even during the persecutions, was rent by heresies. Constantine's régime of liberty was favourable not only to the development of the sound forces of the Church and of her organisation and culture, but also to the spread of heresies, among them Donatism in Africa and Arianism, first in Egypt and the East, and then also in the West. It was the time when the Church, one in the spirit of the apostolic tradition, was gaining consciousness of her structural unity through direct contacts between the chief episcopal sees, in the local councils (of which the compass steadily widened, till in 325 the first Oecumenical Council met at Nicea), and in agreements on dogmatic and disciplinary questions, such as the date for keeping Easter, lapsed Christians, or the baptism of heretics. The See of Rome held its primacy, but its authority, though recognised in West and East, was not such as to leave no margin for discussion and dissent. While the increasing number of Councils were a means both for affirmation of the Roman authority and for the development of a clearer consciousness of unity.

This movement went largely from below upwards, and from circumference to centre, and implied a general popular interest. This was a source also of turbulence and strife through the intensity of passion aroused by the clash of theories, the formulation of heresies, the subtlety and vehemence of the disputes. The Empire itself was disturbed; the intervention of the political authority justified itself either as maintenance of public order or as safeguarding the rights of the different religious communities. The Emperor Aurelian, a pagan and hostile to

the Christians, intervened in the conflict at Antioch in 272 on whether the basilica belonged to the deposed bishop, Paul of Samosata, accused of Adoptionism, or to the bishop elected in his place. And Aurelian decided that it belonged to the one who was in communion with the bishops of Rome and Italy.

Constantine, while yet a pagan or a catechumen, either spontaneously or on Christian request or appeal, nearly always intervened in ecclesiastical disputes, not only for the maintenance of public order or to guarantee the legal rights of communities, but as exercising an authority that often overshadowed that of the bishops. In the question of the African Donatists, after he himself had placed the decision in the hands of Pope Miltiades and a council of bishops, he set aside their verdict and brought up the matter afresh at the Council of Arles (A.D. 314). This Council, acting on his inspiration, blamed the anti-militarism of Christians as prejudicial to the Empire. Constantine, who had himself convoked it, perhaps through irritation at the turn its assemblies were taking, dissolved it—not very graciously, it would seem, from the bishops' report to Pope Sylvester: 'Then wearying of it he ordered all to return to their sees.'

Constantine felt it his mission to intervene in ecclesiastical questions. He recognised that internal decisions were the affair of the bishops, and he called himself *episcopus forensis*, or 'external bishop'. He was still not yet a Christian when he practically presided over the Oecumenical Council of Nicea, taking sides now for this party now for that, favouring those who supported him, opposing those who resisted. St. Athanasius felt the weight of his displeasure in banishment. Arius before he died obtained from the Emperor an order that he should be re-admitted into the Christian community. Constantine's policy of direct intervention in Church matters would remain the normal line of conduct of the Byzantine Emperors, and, in certain respects, also of the Emperors of the West. This policy, which had developed through the theological, disciplinary and personal controversies between Christians, became for the imperial courts at once a system for maintaining order and a means of domination.

The attitude of Christians generally and of the ecclesiastical hierarchies was on the whole favourable to this policy. Although for a

while it was not possible for them to formulate clearly the practical limits to be set to imperial intervention, it was none the less well established in the Christian conscience that any dogmatic decision and any ruling on Church discipline was a matter for the bishops, that the government of the Church was entrusted to them and not to the Emperors, that the Church was a spiritual society, independent and superior in her nature and ends to any other human society. In actual fact, however, though Councils and bishops might decide to depose an heretical bishop or to excommunicate some particular Christian (and the IV century is one series of mutual excommunications, especially in the Eastern Church), if the interested parties resisted, as they not seldom did, the force for execution of such decisions was in the hands of the Emperors. These, in order to proceed legally, adopted the decisions of the Councils as part of their legislation and reinforced them with penal sanctions. Councils followed Councils, and now one faction, now another, prevailed. The enforcement of such laws and executive and penal intervention proved favourable now to the orthodox, now to the heretics. It was a result of the system. In the case of heretics, the Church resisted and fought the pretensions of the Emperors; in the case of the orthodox, she accepted their intervention. There thus came to be a duality of forces on the politico-religious plane of the Empire. The Church did not forget that she had fought in conditions of inferiority in the days of the persecutions, and had suffered renewed persecution in a period when she openly flourished. The Empire, which in the West was growing steadily weaker and needed the Church for its defence against the barbarians, here maintained a certain balance; in the East, on the contrary, it sought to master and dominate the various seething religious and political currents, and in every field of activity its centralising intervention increased.

§ 4.—When paganism had ceased to be the official religion, and had become first a tolerated and then a persecuted and vanquished religion, the heterodox currents within Christianity carried their struggle against orthodoxy into the sphere of political influence, seeking favours for their adepts and intolerance against their adversaries. Orthodox Christianity at first defended itself on a platform of freedom, then

called for protective laws for itself and laws of persecution against the heretics. These laws came into being, save that they were enforced according to the interests of the Court either for or against orthodox Christianity (Catholicism). After prolonged strife it was Catholicism that prevailed in both West and East.

In the course of this process the idea of toleration and of religious liberty was lost. Instead there was an effort to attain the politico-religious unity of the Empire through the disciplinary religious unity of the Church. But the new Empire was not the same as the old pagan one. The new Empire had become dualistic. On the one hand there was a Church that had vindicated her autonomy with the blood of her martyrs, that possessed an organic life of her own and a vitality not to be confused with that of the Empire ; on the other there was an Empire which had adopted the new religion, persecuting what survived of paganism, and intervening in religious matters either by carrying them into the political sphere or by usurping religious power.

It seems strange that at a time when the Empire was threatened by the barbarians, internally lacking in administrative cohesion, growing poorer and poorer economically, when it had, therefore, urgent problems and tasks of a purely political order, it should have involved itself in extraneous, arduous and thorny questions, insoluble as far as it was concerned, such as theological disputes. Yet this was a logical position in the historical process. The causes of the crumbling of the Empire were many, chief among them the impossibility of giving a unity to so vast an agglomeration of peoples. Hence an imperative need to impose a single system of laws, culture and religion, so as to maintain what cohesion was possible among the different and often conflicting forces involved. The intervention of the imperial power in Church matters and its repression of schisms and heresies find their source in the need for a political and moral unification of the Roman world.

It was no political motive but the pressure of events that led St. Augustine to abandon the régime of freedom and, even against the views of Rome, to call for temporal intervention in the struggle against heretics. He had wavered much, for the use of force in religious matters was repugnant to him, but when his diocese fell a prey to the violence of the Circumcellions, he not only asked for political protection for

the persecuted Catholics (as was only natural), but sought to justify coercion by the temporal authority in order to force the heretics back to orthodoxy. He based his new thesis on the principle (very debatable if extended to all cases) that the heretics could not in good faith persevere in their errors. Although he had preached mildness in the punishment of heretics, and though he had condemned the application of the death penalty which would deprive them of all possibility of conversion, yet he now showed a radical change in both theory and practice and provided motives for justifying intolerance.

The political objects of the Roman Emperors and the religious objects of the bishops who turned to them coincided (from the sociological standpoint) in the idea of one Christendom and one Roman world, though in practice this might be divided for administrative purposes into two Empires, of East and West. The old order was the Empire, the new order was the Church which ramified through the Empire so as to constitute in itself a new connecting nexus. The trend of resolution wavered between an Empire sustained by the Church and a Church protected by the Empire. The Church, which now stood forth openly, triumphant over paganism and the ancient world, was a Church that was asserting itself in the cultural and theological contests as the one religious society, permanent amid the flux of centuries; the Empire felt its attraction and reflected its passions. The unity that the great Emperors, Trajan, Hadrian, Antoninus Pius, Diocletian, had failed to achieve by the triumph of a reformed paganism, Constantine, Gratian, Theodosius the Great, Theodosius II and Valentinian III sought to achieve by the triumph of a one and orthodox Christianity.

But the Church was not made to serve the Empire or to be made subservient to it. Resistance to a centralising policy was by no means rare, from St. Athanasius onwards. The vehemence of Lucifer of Cagliari in defending Athanasius against Constantius bears witness to the extent and depths of the feelings of independence that had ripened in the Church during the persecutions and which she had preserved under the new régime of the Christian Empire. St. Ambrose, not much later, is more measured in his language but no less explicit. In repulsing Theodosius from the church door, bidding him first do

penance for the massacre of Thessalonica, he constituted himself at once religious and political judge of the Emperor. His famous reply to Valentinian II, who ordered him to cede certain churches to the Arians, shows the normal line of conduct of the Latin Church: *tradere basilicam non possum, sed pugnare non debeo.*[1] He thus affirms his right and duty as a bishop against the imperial decree, but he does not resist force. Leo I adopted a like attitude towards Theodosius the Younger over the bad business of the pseudo-Council of Ephesus on the monophysite heresy—the 'Robber Synod' staged by Theodosius and his counsellors (A.D. 449).

Many other examples might be given, for there was never any lack of disputes between bishops, popes and emperors. After nearly two centuries of experiences, from Constantine onwards, Gelasius I in 495 had occasion to formulate his thesis of the relations between the political and spiritual powers. He clearly vindicates the independence of the Church from the political power in spiritual matters. His thesis is dualistic, without attenuations. Both powers are from God, the one in the spiritual domain, the other in the material one. The bishops are subject to the emperors in temporal matters, the emperors to the bishops in spiritual matters. Hence the responsibility of the bishops is very great, and their dignity greater still. Gelasius vindicates the ecclesiastical immunities and summons the bishops of the East to defend their rights, which the Emperor had infringed. The Gelasian formula is identical with the earlier pronouncements of St. Ambrose, St. Leo the Great and Felix II, but the respective positions of Church and Empire are more clearly and systematically defined. Gelasius wrote nineteen years after the fall of the Empire of the West, in 476. Felix II had written eight years before it. Neither, it may be, thought that the Empire of the West would be reduced to a few provinces in the dependence of Byzantium, and that Rome would gradually come to play another part in Western Christendom. They argued with the Emperors of the East, like nearly all the Bishops of Rome, since in the East the most interesting theological controversies arose, fomented by rival factions. So indeed did their successors up to and after the great medieval schisms. The position would remain unaltered, but

[1] 'I cannot surrender the church, but I must not fight.'

the dualistic thesis was the only one that could save on the one hand the independence of the Church and on the other the character of a Christian Empire. And therefore on this thesis the whole Catholic tradition rests.

The dualistic theory, in the simplicity of its lines, certainly did not solve the problem of relations between State and Church, as it had presented itself from Constantine onwards. In practice, only the sacramental and ritual authority of the Church remained perfectly distinct from the political power. In the conciliar, jurisdictional and disciplinary activity of the Church imperial intervention was constant and often decisive. On the other hand, the power, wealth, privileges and prestige of the clergy were steadily increasing; they had therefore heavy responsibilities towards the populations unassisted by the civil authorities, oppressed by taxes, tormented by wars, decimated by pestilences, and scattered in the invasions. This interweaving of function, while in some respects it blurred the boundaries between the two powers, brought out their duality all the more plainly and tangibly. The conflicts between bishops and emperors divided not only the courts but the clergy and people; one party resisted the Emperor, the other profited by its power to triumph over the adversary.

This led to a weakening of authority in itself; hence the Fathers of the Church and ecclesiastical writers took care to present it to the faithful as a principle unaffected by contingent circumstances, raising it to a higher plane and rendering it sacred. They insisted that those who governed represented God and received their authority from God, to Whom they had to render account of their actions. Obedience, they held, was the due even of bad governors; such were sent by God as punishment for the sins of the peoples. The Fathers did not pretend to create a political theory on the origin of authority. They were well aware that the juridical conception of the age was based on the Roman tradition, and that the power of the emperors was derived from the will of the people. Justinian, a century later, declared in his Codex: '*Cum enim lege antiqua, quae regia nuncupabatur, omne jus omnisque potestas populi romani in imperatoriam translata sunt potestatem.*' [1] The

[1] 'By ancient law, which was called the Royal Law, all right and all power of the Roman people was transferred to the imperial power.' (Cod. L. 17, I, 77.)

Fathers brought out the moral value of authority, in accordance with the teaching of the Apostles. But it was the Fathers themselves, bishops and popes, who had to resist the intrusion of the imperial authority into the life of the Church, and they did not always do so with the vigour with which St. Basil vindicated his freedom and authority against Valentius.[1]

The body of legislation that from Constantine onwards was taking shape contained, it is true, the decisions of the Councils, but also the imperial edicts and decrees. These had an enduring authority. The Theodosian Codex of 436, that of Justinian in 539, followed by the Pandects in 533, would remain as the sources not only of civil but of ecclesiastical law, till gradually an autonomous Canon Law could be brought into being; only in the late Middle Ages did this take its place side by side with the *Corpus Juris*.

In the IV and V centuries the prevailing tendency is the affirmation of imperial authority over the Church. The Emperor issues decrees touching not only disciplinary matters but also dogmatic ones. Those of Justinian against the followers of Origen and on the dispute over the Three Chapters are famous examples. In spite of this, the sacred character of the Emperor—Vicar of God, as Ambrosiaster calls him—is generally accepted and unchallenged. The dualism of Empire and Church increases, and becomes more marked in the struggles between orthodoxy and heresy, which often degenerate into persecutions now of one side, now of the other.

[1] There is a famous dialogue between Basil and the Prefect of the East, Modestius, in the works of St. Gregory Nazianzen.—

'What? You do not fear my power? '
'What could happen to me? What could I suffer?'
'One of the numerous torments that are in my power.'
'Which? Tell me them.'
'Confiscation, exile, tortures, death.'
'If you have nothing else, you can threaten at your will; these do not affect me.'
'Why, what do you mean?'

And so on, in a crescendo up to the conclusion: 'Tell the Emperor that you will not make us assent to his impiety either by violence or by persuasion.' (Orat. XX.)

Various miracles are attributed to St. Basil in his encounter with Valentius, who wanted from him, as from the other bishops, a signed assent to the Arian formulas, and whom the Saint resisted.

In all this interplay of social forces there is revealed a certain persistent residuum of the pessimistic conception of society, which lies at the bottom of the Christian soul. In current opinion and in the Early Fathers the theory had crept in that the organisation of civil society and the coercive power it implied were not primal, but the outcome of sin. Often the political society is confounded with the world, which is planted in evil. It is the Christian's duty to flee the world, to hate its pomps and rites, to take refuge in the solitude of his spirit if he cannot forsake the world physically. Blessed are they who can so forsake it! The deserts are the dwelling place of thousands upon thousands of hermits.

The negation of society implied by the asceticism of the IV and V centuries sprang from a melancholy spectacle that was two-fold—on the one hand, the social and political evils that had overwhelmed the crumbling Roman Empire, on the other, the need to withdraw from the corruption that had invaded the towns, penetrating even to the sanctuary, which was often under the sway of a rich, litigious and obsequious clergy. The way of personal freedom was sought anew, understood as liberation, detachment from evil, attainment of good. Outward liberties do not exist where intolerance and persecutions prevail. Theological conflicts are settled either in religious instance, by the authority of the Councils, or in political instance, by the authority of the Emperor. Elementary rights have often to be vindicated by revolts of hungry mobs or forsaken provinces. There remains inward liberty, the one refuge of the true Christian.

St. Augustine in his *City of God*, a complex synthesis, luminous yet full of shadows, presents the various moments of this great drama, psychological, social and mystical. For him the true city is the City of God, the city of the elect, living in communication with God. For St. Augustine all social life is produced by love—the life of the celestial city by the love of God, the life of the earthly city by love of the world. Society is order and peace, in the celestial city true order and true peace, in the earthly city a false order and a false peace. Cain stands for the earthly city, he who was the first to shed human blood, Abel for the heavenly city, which on earth has but a brief journey to make that is a return towards heaven.

In Augustine's mind the Church is not the heavenly city nor the State the earthly city, but they are respectively symbols, elements, phases of the two cities, or rather of the good and evil which these express. He passes continually from one plane to the other, from historical reality to mystical significance and vice versa. On the one hand he enumerates the evils of earthly life, wars, tyrannies, slavery, lust, avarice, pride, which find their historical development in human society. To this earthly society belong those Christians and churchmen who, as he puts it, have here below the communion of the Sacraments, but will have no part in the eternal lot of the saints. The Church is a means and symbol of the City of God, though she is not the society of the elect; civil society is the plane of development of the earthly city, though it is not for this the society of the lost.

Such is the thesis that illuminates the whole course of history, which unfolds as the conflict between the two cities. Human happenings in the light of this inherent dualism lose all intrinsic value; the pessimistic view of society is enhanced in the face of worsening evils, concern for the City of God and its triumph becomes paramount. The State is driven towards co-operation with the City of God, in spite of its inner turmoil of disorder and evil. The achievement of a Christian Empire by Theodosius must have smiled upon the minds of the age, but the collapse of that Empire (which Ambrose thought would stand for ever) brought a sense of anguish, driving men either to detachment from earthly things or to spiritual coldness.

The Pelagianism that found its way into the spiritual stream of the V century, and which would persist under different guises through the centuries, on its appearance might seem a motive for a reawakening of piety, of asceticism and for the attainment of Christian virtues. But it not only involved the problem of Grace, but it distorted the Christian conception of man, of society, of the evil in the world. For Pelagianism, in the shape it assumed through theological controversy, man, created free, could attain to virtue and good by his own might, divine Grace remaining an aid extrinsic to nature. Although this conception was framed in the supernatural system of rewards and penalties and remained within the ethico-dogmatic teachings of Christianity, in substance it introduced an optimistic naturalism.

In the face of Manicheanism which, by making evil and good a duality, disintegrated spiritual forces and altered social forces, Pelagianism sought to restore consciousness of good in an optimism general for all. Augustine, who had passed through an experience of Manicheanism and who later, in the exercise of his episcopal ministry, deepened the intuitions of his genius, showed how naturalistic optimism was not only a heresy but was psychologically and historically unreal. The conflicts in which he engaged led him to accentuate the pessimistic view of nature and society, but post-Augustinian controversy cleared up certain verbal excesses and consolidated dogmatic teaching. The two currents of the mystical stream, the pessimistic and the optimistic, would continue to evolve and to influence both the life of the Church and temporal society itself.

A more serene and disciplined form of monasticism was coming into being, through the rules that were already widespread throughout the West. Rufinus had summarised that of Basil, Jerome had translated that of Pacomius, Augustine had written his famous CCXI Letter, which was taken as a rule for religious communities, and there were also the Constitutions of Honorius of Arles, and Cassian's compendium of the rules of life of the Egyptian abbeys. The new monasticism brought the spread of the greatest possible detachment from earthly life among the ruling classes. This mystical formation had an influence on the organisation of the Church, where the worldly spirit had penetrated with wealth and honours. Missionary, episcopal and organising work tempered the men of action, who were the greater in their ministry, the surer their foundations in the spiritual life.

The two streams, the mystical and the organisational, work perennially in the Church, permeating her from end to end and from bottom to top. The mystical stream may develop into active prophetism, as with Basil in the East, Augustine and Jerome in the West; the organisational stream may form a perfect balance with the mystical, as in Leo the Great. But on both sides the boundaries may be and have been overstepped, to the point of heresy on the one hand and worldliness on the other. Thus the one acts as a brake and the other as a motor; the one may even overwhelm the other, or the roles may be reversed and the one take on the other's characteristics. This occurs far more

readily in a period of formation and growth, of struggles and adaptations, as in the IV and V centuries, when the Church, emerging from the catacombs and measuring herself with the power, wealth and pride of the world, with intellectual subtleties and naturalistic deviations, found in the mysticism and sacrifices of her bishops and cenobites, fathers and doctors, the same road that had first been trodden by the martyrs, for affirming and extending herself in the world.

CHAPTER II

CAESARO-PAPISM AND LATIN ORGANISATION

FROM THE FALL OF THE WESTERN EMPIRE TO CHARLEMAGNE

§ 5.—The ancient Church did not seek to merge the State into herself nor did she set out to create a civilisation of her own by changing the institutions that were her Roman heritage. But in preaching the truths of faith, in the organisation of her hierarchy and of worship and in the practice of Christian ethics and spirituality, she fulfilled a social function that was in fact a civilising one. The State remained for her an earthly factor, necessary to the life of the community, yet containing elements contradictory to the spiritual life. Property, wealth, the dominion of certain classes over others, the exercise of force, war, slavery, were likewise to be considered necessary elements of social life, though they sprang from the degeneration of the human race. Such elements, since they could not be suppressed, had to be corrected by the Christian spirit of poverty, humility, abstinence and penance. There remained the innate dualism between the life of the spirit and life of the world in the inner life of the Christian, and between the religious and supernatural ends of the Church and the earthly and social ends of fallen human nature. This dualism, between Church and State in the social sphere, between inner life and political life in the moral sphere, was tending to find a unification in the conception of a natural law. This law had to permeate the State, which represented the sum-total of power and authority over all men, even over men of the Church ; it was the ethical foundation on which Christian morality had been built. The Decalogue is presupposed by the Gospel, the Decalogue for social life, the Gospel for spiritual life; the Decalogue for the State, the Gospel for the Church.

The Christian Roman Empire, though largely Catholic, included dissidents, schismatics, heretics, pagans of Greco-Roman civilisation

and unconverted barbarians. The triumphant and unifying religion was Catholicism, even in Byzance, in spite of the dualism with Rome. The conflict between the various Christian factions went on, now as controversy, now as political or court intrigue, now as revolt and persecution. Outward unification nearly always found its pole in the Empire, which though pervaded by ecclesiastical organisms, harassed by religious factions and distracted by dogmatic disputes, continued to correspond to the Greco-Roman conception of a higher and all-embracing political and legislative entity. The Church did not claim any share in political power. Bishops and popes avowed themselves subject to the Emperor or to the Teutonic kings and to the imperial or royal laws. Gelasius I emphasises the division of powers : 'In so far as spiritual action is removed from carnal incursions and "the man fighting for God must not be involved in secular business," so let not the man involved in secular business be seen presiding over the things of God . . .'[1] A century later, Gregory I declared himself subject to the commands of the Emperor Maurice, and while pointing out the violation of conscience, did not fail to transmit the imperial order that monasteries should not accept officers and soldiers as monks : 'Thus on both sides have I done what was due, since I both recommended obedience to the Emperor and did not keep silence on what I felt for God.'[2]

None the less, given the nature of the Christian religion, the Church could not fail to exert an influence on the formation, workings and activities of the political society and even of the authority representing it. (This influence was no less real in the pre-Constantine period, through the withdrawal of Christians from social life, and their effective repudiation of the politico-religious system on which the Empire rested.) The principles of the Church came to inform the family (Christian marriage), justice (the free choice of judges), culture (public and private education), public assistance or benevolence (the fund for the poor), the financial system (clergy exemption),

[1]Tract IV. 'Quatenus spiritalis actio a carnalibus distaret incursibus et "Deo militans minime se negotiis saecularibus implicaret" ac vicissim non ille rebus divinis praesidere videretur, qui esset negotiis saecularibus implicatus . . .'

[2]Epistolae I, iii, 61. Utrobique ergo quae debui exolvi, qui et imperatori obedientiam praebui et pro Deo quod sensi minime tacui.

the civil and criminal system (the *privilegium fori*), court interests (the influence of episcopal and dogmatic conflicts), manners and morals (the decisions of the Councils), and legislation (from Gratian to Justinian).

To win control of all the nerve centres of public life, in an empire, moreover, that had come off its hinges, meant inevitably either to take a share in political power or to resist it. The diarchy is created by the facts.[1] Nominally there was a single power, the Emperor, whose competence extended even to ecclesiastical matters and who intervened *de jure* in the organisation of the Church, to the point of ratifying the appointment (which was still elective) of bishops and popes. The Church claimed for herself no share in political power, neither 'direct' nor 'indirect', in the sense that would later be given to the words. None the less, in the actual fact, as part of the fabric of the Empire, in her influence on the very policies of the court, in the confusion of values between religion and politics, and through the growth of her machinery of government—at certain periods stronger and more stable than the imperial machinery—we find the Church taking a real and effective share in the secular power. This was not so much through concrete situations (which came about either spontaneously, or through imperial concession, or by the consent of the peoples or by customs which might

[1]'By diarchy we mean the formation of two powers, either within each group or in the social complexus as a whole. The formation of these two powers may be more or less organic, more or less pronounced, more or less extensive, but always, though it may be only in elementary form, the two powers will assert themselves as the focal points of the two streams, the organisational and the mystical.

In speaking of a diarchy, the idea arises of the co-existence of two sovereign powers with mutual interference; such as the diarchy of France in Tunis or Andorra, and the diarchy of Great Britain in India. These are politico-legal diarchies, formed by a kind of compromise on the title and exercise of sovereignty. The diarchy of which we are speaking is of a sociological character, whether it comes about on the political plane or on other planes of society. It would be possible to question the appropriateness of the word if this were generally current as implying a purely political sovereignty, but it is only in England that people sometimes speak of a diarchy in India; it has never this sense in France or elsewhere, where a term that used to be current was that of co-sovereignty. . . . The word "diarchy" is the most apt for expressing the idea of a social duality, finding concrete manifestation in the two forms of power, whatever their sphere, whether moral, political or religious.' (Luigi Sturzo, *Essai de Sociologie*, p. 203.)

even derive from usurpations), as through the Christian spirit itself, which, pervasive and dominant, involved the Church in an effective participation not so much in the form of power as in its spiritual substance.

From the Edict of Constantine to the creation of the Carolingian Empire, for half a thousand years (A.D. 300-800), two types of politico-religious diarchy took their course—the caesaro-papist type of Byzance and the *organisational* type of the Latin world.

The term caesaro-papism is usually applied to a politico-religious system in which the authority of the State becomes an effective, normal and centralising authority in the Church, though from outside, while the authority of the Church shares directly, though in a non-autonomous and often subordinate form, in the exercise of secular power. The classical type is the Byzantine, which, from the period of the schisms, would prevail in the Eastern Church and in the other Orthodox churches derived from it. We find an incipient and partial caesaro-papism from Constantine onwards, growing more marked after the fall of the Western Empire, when only the Emperors of the East were left in the Christian world, and oriental methods dominated the byzantinised Latin world also.

With such relations between State and Church, the Church came even to lose her autonomy of organisation and to suffer political restriction in her sacramental and liturgical functions. The political power tended on the one hand to subordinate the Church to itself and on the other to favour and make use of her, for its own consolidation, for the maintenance of the established order, for shoring up the interests of dominant classes and families and to protect the castes, races or peoples superior to others coexisting in the same State. Under these conditions the Church fufilled a function of mediation between the dominant section and the rest, transporting the issues from the political to the religious plane, but she endured the imperial domination for the sake of security for her established order, of the maintenance of religious influence in the social fabric, of preventing the introduction of hostile innovations, heresies, or schisms into the State, and of obtaining their eventual repression by law.

With these motives, objectively disinterested and of a religious

nature, other and secondary ones invariably mingled—the caste spirit of the ecclesiastic, the impulse to ensure the predominance of the clergy, respect of its privileges, defence of its wealth and the positions it had established for itself. In every age the dove-tailing of religious interests and economico-political interests in the social structure is productive of elements of caesaro-papism. This tends to make the Church coincide with the boundaries of the State or nation, whether political boundaries or zones of influence. And it naturally follows that once the political head has been invested with a higher form of religious authority, even though external, the Church (in the concrete, a given church), ceases to have any real authority over peoples politically alien if not hostile to the State. Even against the will of the ecclesiastical heads, the consequence of a diarchy of this type is implicitly a practical denial of the universality of the Church or of her unity. Another consequence of caesaro-papism is the close union between State and Church, so that in the normal course a crisis in one means a crisis in the other, the fall of the one the fall of the other. We say in the normal course, because this depends on the stage at which the Church is to be found in the consciousness of the peoples, which in critical moments may develop of itself religious energies that had remained latent.

The Latin, organisational type of diarchy differed from the caesaro-papist type in that the Church, while calling upon the civil power for help and granting to sovereigns certain faculties or privileges affecting her internal organisation, yet nearly always reacted vigorously against any effective dependence, or reasserted her independence, as the case might be. This independence in the Catholic Church was rendered visible and symbolised in the Roman pontificate. While this from the beginning had asserted and developed its primacy over all the Christian churches, events enabled it so to buttress its special position as to facilitate its task of government. The struggles with the Empire, whether of West or East, involving as they did religious questions, the protection of the forsaken peoples, the vindication of orthodoxy against heretical bishops and against the imperial courts that supported them, could not fail to foster a tradition of government, command and responsibility in papal Rome. Later, when the Popes had to defend themselves, even on the material plane, now against

satellites of the Emperors, now against the barbarian hordes, defending at the same time the people of Rome, they assumed in Italy a social function of the highest order. The offerings of the Catholic world at the tombs of the Apostles Peter and Paul, and the type of economy of the time, made the Roman See one of the richest. Leo the Great raised the papacy to a great height, even from the human standpoint, when he twice saved Rome, from Attila and from Genseric. He stood firm against the indocility and sedition of the Eastern theologians, he co-operated widely with the emperors, and, when necessary, as vigorously opposed them. In brief, dogmatic and disciplinary reasons, with outward circumstances of an economic and political nature, enabled the Roman See to attain a moral dominion and an independence that would lay the foundations of the Latin type of diarchy soon to prevail throughout the Christian West.

This type of diarchy evolved in the midst of difficulties, since, as we have seen, the intermingling of the political and ecclesiastical powers begins with Constantine, and the caesaro-papist conception crept into the West in the following century. But at that time in East and West the mutual influences of the Church on the State and vice versa assumed now one aspect now the other, according to whether factors subjugating the Church to the Empire prevailed or those tending to disengage them.

The chief differences between the caesaro-papist type of diarchy and the Latin organisational type are two. The first is that in the latter the Church vindicated her independence of every other power, not only theoretically and morally, but in actual fact. This actual independence, indeed, seems to come later. Imperial intervention when it favoured the Church did not appear as intrusion but as co-operation. If imperial intervention favoured the non-orthodox currents, we must distinguish between various moments and various states of mind among the faithful and churchmen. In the different Christian communities it was often not clear, before the decisions of the Councils (and not always then), on which side lay orthodoxy and on which heresy.

The other difference lay in a diverse conception of the organised religious unity of the Church. In the caesaro-papist diarchy the organic unity of the Church came to be confounded with that of the Empire; in

the Latin organisational type, organic unity was purely ecclesiastical and super-statal. In the period from Constantine to the fall of the Western Empire, the fact that the Roman Empire covered nearly all the known world gave the impression that it providentially coincided with the universality of the Church. (It was an impression only, for already apostles and missionaries had carried the Gospel beyond the imperial borders.) But this unity, within the framework of the Empire, was shaken by the dualism of West and East, a dualism that was liable to pass from the political to the ecclesiastical plane. With the fall of the Empire of the West (476) and with the series of Byzantine emperors of varying orthodoxy, the unitary coincidence of Empire and Church was less actual, for the new Germanic kingdoms of the West were already gaining consistency and casting off all subjection. In spite of this, in the West the idea still prevailed of a Christian Empire representing all Christendom in its political aspect, as the Papacy represented it in its religious aspect. Cassiodorus, minister of Theodoric the Great (A.D. 493-525), thought to restore the Western Empire through the Ostrogoths, but it was not long before Justinian with the armies of Belisarius and Narses put an end to this dream.

Actually, from the V century onwards Rome seeks to hold her own against the East, developing in consequence the organisation of the Church in the West, adapting herself step by step to the new conditions that were arising in the barbarian-Latin kingdoms of Italy, Gaul, Spain and Africa. Not only was the religious primacy of Rome no longer questioned, but it was projected on to the civil plane.

When the barbarian world was converted to Christianity and superimposed itself on the Latin world, a great part of the civil organisation remained in the hands of churchmen, who were almost the only men able to read and write. The duty of safeguarding at one and the same time the religious organism, Latin culture and the oppressed populations impelled the clergy not only to conserve the civil positions they had won under the fallen Empire, but to obtain and claim others which, under the harsh yoke of the barbarians, would give more effectual safeguards. The victors, on the other hand, whether converted to Christianity or not, could not ignore a Church that had already become a power, clearly distinct from the Empire and from time to time

its opponent. Thus, through its intrinsic importance and through the course of historical events, the Roman See was not only the natural centre of the churches, but the principal nucleus assuring the religious autonomy of the West against the caesaro-papism of Byzance, and the axis of a type of organisation better articulated and more free from the political power and barbarian oppression. Now that population had become sparse and land had gone out of cultivation, the large donations to the churches and the multiplication of monasteries, all agricultural centres, were factors in a new economy which, after the barbarian conquests, grew up round ecclesiastical bodies. The wide rural domains round churches and monasteries (such as that of Monte Cassino) formed the patrimonial basis of an ever-growing authority. The Vatican most of all, through veneration for the tomb of St. Peter, had vast possessions, constituting that 'St. Peter's Patrimony' which would later provide the fundamental title of papal dominion over Rome.

On the other hand, the converted barbarians who were forming the new kingdoms—Franks, Burgundians, Visigoths, Lombards—and those who would be converted later—Angles, Alamans, Saxons, Frisians, Bavarians, were driven by their outlook and by political necessities to invade the ecclesiastical sphere. In view of the power of the bishops and their stable function in the kingdom, kings or princes intervened in their nomination, either by ratifying the proposals of the episcopal chapters, clergy or faithful, or else by direct appointment, or even by sale of episcopal offices ; thus simony, one of the worst evils of the Church, became widespread. Seeing how many men sought a career in the church, they forbade the ordination of those who by the custom of the time, could and should bear arms. Hence two consequences : on the one hand a recruiting of the clergy from among emancipated slaves, and on the other a tendency among the clergy themselves to bear arms and lead troops. Again, monasteries and bishoprics had agricultural lands; hence the necessity, in an age when security was small or non-existent, for them to have their own men-at-arms. This paved the way for the systematic contribution of men-at-arms for the wars of the kingdom. Bishops governed, bishops who were court dignitaries, royal councillors, comptrollers of accounts, governors of provinces. The

local councils legislated on church organisation and on manners and customs (especially against the Roman concubinage, which was a true type of barbaric polygamy, and against divorce or repudiation and so forth), and the kings gave legal force to their decisions. In return they claimed the right to authorise and regulate the councils and the various church assemblies.

From many standpoints political and ecclesiastical government were confused even in the new kingdoms, yet never did the State become so theocratic as to abdicate its rights, then chiefly military and fiscal, and never did the Church become so tied to the State as to lose her autonomy of organisation and the character of an universal religion. In the concrete, the Latin organisational type of diarchy, which prevailed in the West, had points of contact with the caesaro-papist type prevailing in the East, and vice versa. Not always did the Church resist the claims of the royal power; indeed in certain cases she recognised it without protest, as when the Council of Orleans in 549 admitted the right of the Frankish kings to give their consent to the nomination of bishops before these were consecrated. Yet the Western Church, while recognising or enduring political interference, did not easily surrender her rights. Therefore we find everywhere latent or open conflicts between the two authorities which, because of the interlocking of the two societies and their reciprocal compenetration, took their course and resolved themselves now on the political plane, now on the religious. Hence the gradual crystallisation of a 'mixed' law, the outcome of Roman traditions, conciliar decisions, papal decrees, imperial legislation and the customs of the Germanic peoples. Little by little Canon Law came into being, to become the juridical basis of the Christian West and a sign of the predominance of the Latin Church in the ordering of what would be called Christendom.

§ 6.—The last representative of the Roman spirit and of the dualism between State and Church when the Western Empire had fallen and was still bound to the East, was Gregory the Great (590-607). He is a truly great figure, as monk, as doctor, as Pope. His asceticism detached him from the world as that of St. Benedict of Nursia, marking thus a dualism with the worldly society of the time, whether lay or eccles-

iastic. His teachings adhere closely to the tradition of the Fathers, which he continues. His thought holds traces of the moderate pessimism of the Greeks, together with the organising spirit of the Latin. In relations between the State and Church he keeps to the line laid down by Gelasius (though with formal attenuations), a line that in theory would last till Gregory VII. In practice it was otherwise: Gregory the Great may be said to have set the Western Church of the early Middle Ages on the road towards that religious unity which would be a prelude to the new moral and political unity.

With the fall of the Western Empire and the barbaric invasions in the territories of the Romano-Celtic and Romano-Slavonic peoples, even the organism of the Church, established within the framework of the Empire, was severely shaken, and many parts of Europe found it hard to maintain contact with their chief centres and with Rome. With the creation of the new kingdoms of Germanic race—partly Arian, partly still pagan, to be converted later through contact with the Latin world—local churches grew up, confined within the boundaries of the occupied territories and improvised kingdoms, and often lacking in a constant and effectual bond of discipline. Rome was then in closer contact with Constantinople, across the Mediterranean and by means of the imperial communications, than with the rest of Europe. Gregory the Great gave the impulse to the Roman missionary movement; he reknit relations with nearly the whole world. His letters show at once his care for the Church, his moral and political guardianship of Italy and of the many parts of the Empire abandoned to hostile forces, and his zeal for the conversion of the infidel. He reformed the liturgy; the Gregorian plain-song became a bond of Roman universality throughout the West. His *Regula Pastoralis* would be a widespread norm of priestly activity throughout the Middle Ages. The conversion of Arian Spain to Catholicism is of his time; Leander and Isidore of Seville are its great apostles and King Ermengild its martyr. The Lombards too are converted through the work of Theodolinda. The monk Augustine and his companions come to England for the conversion of the Anglo-Saxons and to promote appeasement with the Celts who were already Christians. Franks and Burgundians were already Catholic through the labours of the Gallo-Roman clergy;

later the Bavarians, Alamans, Moravians, Hungarians would become so likewise. Roman or romanising bishops become apostles and martyrs of the young peoples, which were forming new kingdoms and bringing with them new customs and fresh blood.

Gregory the Great may be considered, under a certain aspect, as creator of the political power of the popes. Without wish or claim on his part, he exercised in Rome a paternal power. As the head of St. Peter's Patrimony—which had grown enormously round Rome, in Tuscany, in the islands, and even in Africa, Gaul and Dalmatia—he was one who by family tradition (he came of the famous *gens Anicia*), by experience of civil and ecclesiastical life, by his mission to Byzance as *apocrisarius* (to-day we should say nuncio), combined the perspicacious activity of the man of government with the spirituality of the monk.

Rome and Italy, caught in a vice between the new conquerors, the Lombards, and the crushing fiscal system of Byzance, now hard-pressed, now forsaken, had no protection save from the pope. Gregory did not fail in his duty. In 595 he could write to the Empress Constance: 'It is now twenty-seven years that in this city the sword of the Lombards has been suspended over our heads. I do not wish to count the sums the Church has given them day after day, to allow us to live in their midst. It suffices me tell you that just as in Ravenna there is a paymaster of the treasury, entrusted with providing for the current needs of the first army of Italy, so am I who in the same conditions pay for this city.[1]

The imperial court of Byzance, while unable to defend its Italian provinces from the vexations and incursions of the Lombards, continued to harass the Church by interference in ecclesiastical affairs. Pope Martin I, in 653 (less than fifty years after the death of Gregory), was arrested by order of the Emperor Constant II for dogmatic reasons, while Rome was occupied by the Exarch of Ravenna, Calliope; the Pope, carried to Constantinople, was relegated to the Chersonese where he died. First the monothelite heresy, then that of the iconoclasts, for several centuries agitated the Greek and Latin churches, increasing mistrust and conflict. The popes, who at that period were mainly chosen from Greeks, Syrians, Sicilians or Romans

[1] *Mon. Germ. Hist.*, Vol. I, p. 328.

(lands that were part of the Eastern Empire), were unable to overcome the ever-growing difficulties raised by the court and clergy of Byzance, while the Lombard invasion was a menace that grew visibly.

To these difficulties, grave enough in themselves, was added a third still graver, though at the time it was not fully appreciated—Islam, which constituted at once an invading and an inassimilable force. The spread of Islam after the death of Mahomet in 632 was very swift. Omar had seized Persia, Palestine, then Egypt, Cyrenaica and Tripoli. In 672 Constantinople was besieged by land and sea, but resisted. In 698 Carthage fell, the Arabs and Berbers had already passed to Islam. In 711 a part of Spain was taken. In 732 Charles Martel checked the threatened invasion of France at Poitiers.

While Charles Martel was restoring the fortunes of the Franks, which had reached a low ebb, and was meeting their enemies, perhaps he did not clearly foresee what would be the future of their kingdom in the Europe of the VIII and IX centuries. It was situated at the vital and central point of the Western system of the time; to the south it set a dyke to the Saracen invasion, while it formed a compact political group confronting the barbarian peoples of the north and north-east, and a progressive centre of attraction for the Mediterranean—strong at the very time when Byzance was receding into the distance not only through the incessant and wearisome religious wrangles but because unable to defend its Mediterranean provinces against Islam and the Lombards.

When Gregory III, in 739, asked the aid of Charles Martel against the Lombard incursions, he was met by a refusal. In calling for such aid, he had no other purpose than security and independence. This problem appeared to the popes of the time in the form of an ineluctable alternative—either to submit to the Lombards or to strengthen their own authority and their own possessions, establishing them clearly as an autonomous domain, well organised and well defended. Hence the idea of a recourse to the Franks, since the path of negotiations and peace led nowhere.

When Pepin the Short in 751 supplanted the Merovingian dynasty in the Frankish kingdom, with the consent of Pope Zacharias, the trend of papal policy became easier and more decisive. Stephen II (751-7)

made a forty years' peace with the Lombard King, Astolph ; Astolph broke it, preparing to invade Ravenna. Stephen asked for a Byzantine embassy to be sent to Astolph, but it was a vain endeavour, for Astolph paid no heed. The pope himself went to the Lombard camp, to induce the King to restore peace to Ravenna and to Rome, but this step failed. Then Stephen crossed the Alps and sought Pepin.

Italian writers have often criticised Stephen's act in bringing in the foreigner, making the unification of Italy impossible for over a thousand years. Mgr. Duchesne holds that to the interests of the Church it would have made small difference if the Lombards had taken the whole of Italy, since they were Catholics and no worse than the Franks. He considers that the popes, in fighting the Lombards and in defending the autonomy of the Duchy of Rome, the Exarchate of Ravenna and the Pentapolis, acted less as popes than as guardians of the Latin heritage, of Roman culture and the traditions of the city of Rome.[1]

Assuredly, human and political motives played their part in the popes' attitude, but events were decisive where a preconceived plan was lacking. Certainly a distant protector is always preferable to a neighbouring tyrant of other race and culture. But our actions are limited to their immediate and partial results; the whole often remains beyond human foresight, and when a man seeks to embrace it he spoils and falsifies those syntheses that are shaping themselves on the plane of history. No one could then foresee that a little more than thirty years later a Frankish Empire would come into being, but it was clear that at that moment, between Franks and Lombards, there could be no other choice : either subordination or a fight till one side or the other had won final victory.

This was not Pepin's idea. He wanted rather to reconcile the Pope with the Lombards, but the danger of an alliance between Byzantines and Lombards against Rome was better understood by the popes and the Romans than by the Franks. Thither events tended. Pepin in 755

[1] 'But here indeed is the difficulty. The Romans did not want to be Lombards, and their moral leader, the first among them, the pope, could not want to be Lombard. After so prolonged a struggle to preserve the quality of being a Roman, a member of the holy republic, the subject of a man who, after all, was the heir of Augustus and of Constantine, this quality had become something sacred and intangible.' (L. Duchesne, *Les Premiers Temps de l'Etat Pontifical*, p. 11.)

defeated Astolph a first time and assured to the Pope, besides the Duchy of Rome, the Exarchate of Ravenna and the Pentapolis. In 756 Astolph broke his pact and besieged Rome. Pepin defeated him and added other Adriatic cities to the Roman domain. Thus St. Peter's Patrimony became a temporal State.

Like all the events that history shapes little by little, from chance beginnings, and often apart from any clear and immediate purpose, with effects that with time outstrip all that could have been foreseen, what was known as 'The Donation of Pepin' was not looked upon as something new nor considered as questionable from the religious standpoint. There is no doubt that Pepin when he stripped Astolph of provinces that nominally belonged to Byzance was able to dispose of them as he thought fit. The term 'restitution to St. Peter' was used, since in view of the absenteeism of Byzance, there was no one but the Pope to concern himself with such provinces: these were a fragment of ancient Rome which thanks to the popes and under the shadow of St. Peter's still remained Latin.

At this point of history there appears a document known as the Donation of Constantine, or *Constitutum Constantini*, which would later form the title to which popes and Curia referred to defend their temporal rights against the Germanic Emperors. The first mention of it is in a letter of Pope Adrian I in 778. The *Constitutum* appears later included in the Isidorian (or pseudo-Isidorian) Collection, which goes back to the first half of the IX century. The first pope to make a real and official use of it was Leo IX two hundred years later. The document was finally inserted in Gratian's Decretals in the XII century.

It is believed that the Donation of Constantine was compiled in Rome, from earlier, unconnected elements. The legend of Constantine's leprosy seems to be taken from a Greek MS., and combined with the other of the donation to Pope Sylvester. The assertions concerning the papal power reflect the ideas of Gelasius I, and not yet those of the popes of the XI and XII centuries. Perhaps the legend of the donation took shape, before it found final form, in the clash between the Roman and ecclesiastical world and the Lombards, and was an attempt to answer secular claims by giving the Roman polity a sacred character, in the face of the Lombards and other neighbouring

peoples who might attack St. Peter's Patrimony, now enlarged and established, and the dominion of Rome. The document was confirmed by events when Charlemagne ratified Pepin's donation, widening it to include in theory Venetian territory down to the Duchy of Benevento.

§ 7.—Charlemagne is a great figure, legendary and historical, symbolic and real. In the age of Christendom he has no peer, not only because of the aureole of poetry that surrounds him but because, emerging from the dark background of barbarian times, he found events propitious and was able to weld them into a mighty synthesis in his own person.

On the death of his brother Carloman he united all the kingdoms left by Pepin. His campaigns against the Saracens took him as far as Barcelona and Tortosa, to establish there a front of resistance. His wars against the Saxons, long and bitter and indeed barbarous, brought him to the Elbe, north of Hamburg. Maybe he had no thought of seizing the kingdom of the Lombards; his mother Gisela had arranged a marriage for him with the daughter of King Desiderius, Desiderata, whom he speedily repudiated. But the position of the Pope was becoming increasingly difficult, what with internal seditions, clerical and lay, the pressure of the Lombards, and Byzantine intrigues. Moreover, Charlemagne was perturbed at the support Desiderius was giving to the widow and sons of his brother Carloman, who would not renounce their claims to their father's kingdoms. Also, the Duke of Friuli was preparing to revolt. It was thus that Charlemagne decided to make an end of the Lombards. Desiderius was defeated and consigned to the monastery of Corbia, and Charlemagne on 5 June, 774, assumed the title of *Rex Francorum et Longobardorum*.

In imitation of the Byzantine Emperors, Charlemagne concerned himself much with Church discipline and organisation, and was able to impose his will on bishops and popes. Like all legislators of genius he knew how to create about his person (without giving them undue influence) a circle of theologians, legists, poets and writers of every kind, and he gave such an impulse to culture (which was then, and could not but be, the patrimony of churchmen, monks, abbots and bishops) as to give the impression of a renaissance. It must not be thought that before his time there was nothing, and that a tradition

of culture was wanting. With Boetius and Gregory the Great the Italy of the V and VI centuries had carried on the great Latin tradition, while Gregory of Tours by his History of the Franks and the Venerable Bede by that of the Britons had created the religious and civil history of the Christian epoch.

The rebirth of culture and asceticism in Charlemagne's time is linked with the influx of Irish monasticism, which created the centres of Luxeuil in Burgundy and Bobbio in Italy, both founded by St. Columba the Elder, and with the influence of monasticism in England, which had produced the great St. Boniface, Archbishop of Magonza, to evangelise the Germanic peoples, and the Venerable Bede of Wearmouth, for the intellectual formation of his age. The monk Egbert, Bishop of York and Alcuin's master, had been Bede's disciple. Egbert in his turn sent Alcuin to Rome and elsewhere to seek manuscripts, and in 766 appointed him director of the episcopal school of York. When Alcuin went to Charlemagne's court and became his trusted counsellor, theologian, canonist and poet, his mind was already formed by a native tradition of culture.

It was natural that in such a circle as surrounded Charlemagne figures of the first rank should not be lacking. From Italy he had brought Peter of Pisa, grammarian and poet, and Paul the Deacon, known also as Paul Warnefried, the monk of Monte Cassino, famous for his *Historia Longobardorum* and for the *Homiliarium* (lessons on the Divine Office and for the use of preachers), written on Charlemagne's request. Another Italian was Paolinus of Aquileja, who took the name of Timothy in the Palatine Academy. For Charlemagne thought to form an Academy, but better than his later imitators, he created it for his own instruction and that of the members of his family and his friends and counsellors. The names they took were ambitious, beginning with Charlemagne who took that of David; Alcuin called himself Horace, Eginhard was Bezekel, and Angilbert nothing less than Homer.

Thus surrounded by a throng of cultivated and zealous churchmen, rivalling those of Rome and Byzance, Charlemagne, between one campaign and another, and even during them, busied himself with the church affairs of his kingdoms, with the appointment of bishops and

abbots, with the convocation of councils. His position was that rather of a ruler than of a protector of the Church. Under certain aspects he revived the attitude of Constantine, and under others outwent him. He renewed the centres of culture, reorganising parochial and diocesan schools. Through his *missi dominici* he brought the centre into touch with the periphery, within the framework of the local churches. Bishops kept watch on the counts or governors of provinces, and these kept watch on the bishops. Supervision of the clergy to see that they fulfilled their duties was an essential part of Charlemagne's policy. His control extended even to dogmatic questions, as when he wished to impose the introduction of *Filioque* into the Creed (the Holy Spirit 'proceeding from the Father *and the Son*'),[1] and when he refused Pope Adrian I to accept the decisions of the Second Council of Nicea on the cult of sacred images.

All this is not surprising. He believed it his task to protect, defend and extend the Church, which had been committed to him to uphold amid the storms of the time—*nobis in huius saeculi fluctibus ad regendum commissa*. Thus the preface to the Caroline books.[2] In the letter addressed to the newly elected Pope, Leo III, Charlemagne made a division (wholly to his own advantage) between the tasks in the Church to be allotted to himself and to the Pope—for the Pope prayer, as for Moses (he is alluding to Exodus XVII), for himself action, so as to be able 'to safeguard the knowledge of the Catholic faith within and without'.[3]

The title of Roman Patrician conferred on Pepin the Short by Pope Stephen I, and confirmed to Charlemagne by Adrian I, implied an engagement to protect the Papacy, exposed as it was to every kind of intrigue, conflict, rebellion and war, on the part of its powerful neighbours and of the factions that were being formed in Rome and in the

[1]The words had been introduced into what is known as the Nicene Creed towards the end of the VI century in Spain, as appears from the Council of Toledo in 589, and the use extended to Gaul and elsewhere. In the dispute between Charlemagne and the Emperor Irenaeus of Constantinople the Greeks were accused of omitting the words *Filioque*, but Pope Adrian I defended the Greek Patriarch, Tarasius, on the grounds that these words were not in the Nicene text. Hence a series of discussions, in which the Frankish theologians spoke of dogma and Charlemagne found a pretext for his anti-byzantine policy.

[2]*Mon. Germ. Hist. Concilia*, Vol. II, supp., p. 2.

[3] *Foris et intus catholicae fidei agnitionem munire.* (*Id.*, Epistolae, Vol. IV, p. 137.)

provinces of the papal domain. Just as temporal and spiritual power were united in the Pope, and as the churchmen in Rome shared indiscriminately in both powers while the laity contended with them for dominion, so Charlemagne as Roman patrician exercised an office of control and protection at once political and military, religious and civil. So too his legates and ecclesiastical counsellors, sharing in this control, assumed a right of intervention in the affairs of the Roman Church that must have been judged excessive by the popes, the clergy of the Curia and the Roman people. On the election of Leo III, Charlemagne sent Angilbert to receive the homage of the Romans. Among the instructions he gave him he wrote that he should 'diligently admonish the Pope to live a virtuous life, to have a jealous care for the observance of the holy canons and to govern the Church with piety'. The superior tone of the writer of the letter (perhaps Alcuin) is in no way muffled.

Leo III suffered a serious assault (in April 799) through a plot among his high officials, among them the nephew of his predecessor Adrian I, the primicerius Pascal. Escaping from the hands of his enemies, as soon as he had recovered from the serious maltreatment he had received, he hastened to Paderborn to ask help of Charlemagne. Charlemagne had him brought back to Rome to be received with solemn honours, but wished an inquiry to be made into the charges of adultery and perjury made by his enemies. The Pope could not admit a higher jurisdiction, far less that of a layman, even of a Roman patrician, King of the Franks and Lombards, nor did he wish to seem to take refuge under the mantle of pontifical authority. Therefore, before a Council that met in December of 800, and at which Charlemagne was present, Leo III spontaneously affirmed his innocence on oath, declaring, however, that he did not wish thus to establish a precedent, nor to diminish the authority of the first See '*quae a nemine judicatur*'.

A new century was opening, and Charlemagne had gathered under his sceptre nearly all the Roman West, while holding his own against Saracens, barbarians and Byzantines. Leo III after that act of humiliation performed an act of glory. On Christmas Eve in St. Peter's he placed the imperial crown on the head of Charlemagne who knelt before him, while the people thrice repeated the famous acclamation: 'To Charles,

most pious Augustus, crowned by God great and pacific Emperor of the Romans, life and victory!' When the singing was over the Pope in his turn prostrated himself in the rite known as 'adoration'. Charles was Emperor. The solemn ritual used for the first time by a pope in St. Peter's was the same as that used in Byzance. But the significance of the rebirth of the Western Empire, which was to become 'Christendom', with two supreme powers, Emperor and Pope, was implicit in the ceremony of that Christmas night. Leo III in taking the initiative had surely an intuition of its historic importance. Perhaps he was looking back on the past of the Roman Empire that through his doing had returned to life, but instead a new empire had been born, with a character of its own. The history of an international diarchy that would last over six centuries begins from that moment.

Eginhard, Charlemagne's historian, wrote that his master was not wholly pleased, not because he was not glad to receive the title of Emperor, and maybe he, or others for him (probably Alcuin), had already thought of it. The tale of Charlemagne's displeasure may have been circulated to ward off the resentment of Byzance and turn it on the Pope. But the idea that the Empire was a title coming from Rome, that the Romans were its depositaries, that it was the Pope who could sanction and consecrate the choice of Emperor, was something that could not escape Charlemagne and his counsellors, and all this was implied by the act of Leo III. No writer of the time or of the succeeding centuries sees in that act simply a religious consecration, as might be that of a Basileus of Byzance, but instead it was understood as the act of transmission of a title and of a power. If the centre of the West had been displaced from Rome to Aix-la-Chapelle, if 'Romania' had lost its economico-political character, this was not owing to Charlemagne but to the Arab invasion of the Mediterranean: Leo III had done what he could to render Rome once more imperial.

When Leo III crowned Charlemagne, for some thirty years, perhaps longer, centres of culture had been acquainted with the pretended document of the Donation of Constantine, which held in germ the temporal power of the Pope together with the theory of the two powers as formulated by Gelasius I. The excessive interference of the new Emperor and of his court in religious matters aroused a certain anxiety

in Rome. The first reference in ecclesiastical literature to the theory of the two swords, taken as symbols of the two powers, temporal and spiritual, is entirely in favour of the secular ruler. It is made by Alcuin who writes to Charlemagne a year before his coronation, saying: 'Your pious care to protect the churches of Christ and to purge them within of all perverse doctrine is equalled only by your solicitude to safeguard and defend them without against the devastations of the pagans. It is the Divine Power that has invested your Venerable Excellency with the two swords.'[1] A few centuries later, the symbol of the two swords would pass to the side of the Pope and indicate his twofold power, and would lead to violent controversies on the text of St. Luke (xxii, 38, *ecce duo gladii hic*) whence the symbol was taken. We do not say that when Leo III proceeded to crown Charlemagne it was with the ideas that were current later, but it is not improbable that he divined the need to raise the position of the Pope, reduced in the temporal sphere to that of a vassal of the Frankish kingdom as would appear from the Donation of Pepin, and to exalt it to that of the founder of the new Empire. And at the same time, in the ecclesiastical field, he would also resume his disciplinary function as head, against the pretensions of Charlemagne's clergy and of the metropolitans who were usurping the powers of the Holy See.

This aspect of events would be noted later in a fresh collection of ecclesiastical documents, which passes under the name of *Isidoriana*. The great canonical collections of the time were the *Dionisiana* and the *Hispana*. This third, which appears about 850, is signed by *Isidorus Mercator* (or *Peccator*). Maybe there was a wish to make St. Isidore of Seville pass as author, where it is written: '*Incipit praefatio Sancti Isidori libri hujus*'. Hence the name *Isidoriana*. But while the two earlier collections so far as was then possible contained authentic documents or documents of a traditional character and accepted as authentic, the Isidorian Collection is a hotch-potch of authentic documents marred by interpolations of a topical nature, of manipulated passages from Greek or Latin ecclesiastical writers, reduced to the form of canons and decretals and attributed to popes, of earlier collections of dubious origin, and of pieces entirely invented. The date can be fixed with a cer-

[1] *Mon. Germ. Hist.*, Ep. IV, p. 282.

tain probability at the middle of the IX century; there are some who hold that it began to circulate between 847 and 852, the year in which we find the first quotation made from it. It was the work of monks or ecclesiastics of the Frankish kingdom, probably Brittany, though some historians would pin it down to the province of Tours or the diocese of Le Mans. The collection came to form part of the documentary patrimony of the age, and after some fifty years gained credit in the Roman Curia, which found in it a stalwart support for the authoritarian theses of the Papacy, in regard both to laymen and prelates.

The dubious character of some of these documents did not pass unnoted, and the beginnings of a critical attitude towards them appear as early as the XII century, in Peter Comestor, Godfrey of Viterbo and Stephen of Tournai. In the XIV and XV centuries they were attacked by Wyclif and Nicholas of Cusa. But the falsification was proved by textual criticism in the XVI century, when first Protestants and then Febronians used it as a weapon against the Papacy, as though it constituted the title-deeds of the papal power. But it is certain that the compilation was neither directly nor indirectly influenced by the Papacy. Probably to an honest labour of editing and rearranging the earlier collections, especially the *Hispana* (which was presented to Charlemagne by Adrian I), the compilers wished to add all the documents possible, without any critical discernment, using what manuscripts they could lay hands on. With this groundwork, vanity led them to seek to fill in the gaps in the earlier periods, with the help of the *Liber Pontificalis* and of other elements that have not come down to us, but also with that of their imagination. A third motive, that of challenging the dominion of the metropolitan bishops over the suffragan bishops, of strengthening the central authority of the Holy See and of ending the abusive interference of laymen with the clergy, drove the compilers, or others who came after, to insert non-existent phrases and passages into genuine documents, to create false ones or to make use of them if they had already been created. However this may be, the *Pseudo-Isidoriana* mirrors the situation that had come into being in the Carolingian Empire and in the Frankish Church, and is an attempt at a reaction, which joined forces with that already active in both

Rome and the provinces, growing steadily as under Charlemagne's heirs the Empire fell to pieces.

§ 8.—The Carolingian State has three prevailing features: the military mould into which it was cast through the influence of the Teutonic races on law and custom; the strongly woven fabric of the Church, mediating between the dominant military element and the people; the serfdom of the countryside, forming the only serious means of agricultural production. From these elements springs the corporative idea of a politico-religious society, very different from the classical idea of the State or *res publica*, which had passed, tinctured with Christianity, into the Justinian conception. The Greco-Roman State was the legislating State, guardian of its subjects in a natural and social inequality between freemen and slaves, centralising all powers in itself, though these were held to be delegated by the people. Christianity added to this conception a moral one, bringing a conscientious obligation of obedience to those who governed, even if they were bad. At the same time it corrected the scope of such obedience and political subjection by a higher ethic which had to prevail, especially in the case of conflict between the political order and duty of conscience. In patristic thought the State and its coercive power, effects of Original Sin, served as correction and punishment of sin. The Christian idea that authority came from God, and that therefore those in authority (Emperor or Senate) had their own moral responsibility, eliminated two factors that in paganism gave the authority of the State an absolute value, viz. that the Emperor was *solutus a lege*, above the law, and that he deserved divine worship. In the mind and expressions of the Fathers the Emperor was considered as the Vicar of God, and hence not *solutus a lege Dei*; only in certain cases *solutus a lege hominis*, that is above positive law but not above the natural law.

In the Teutonic State the constituent elements have changed. It is no longer the entity known as the *res publica* but a corporation in the widest sense of the term, a community in which various organic factors concur autonomously in the formation of the body politic. The underlying conception is no longer that of a natural and social inequality, but that of an equality of nature, even though in practice

it admitted serfdom and the enslavement of those vanquished in war. The King or chief, even when his office is hereditary, is chosen or approved by the magnates or barons, by whom he can be deposed if bad or harmful to the community. Laws are the product of assemblies or councils or assizes; the royal intervention or assent serves to complete them, sanctioning and making them enforcible. The King is not *solutus a lege*, but he too is under the law. The law is not conceived as the expression of the will of the people actuated by the royal authority, but as the practical fulfilment of tradition and earlier laws, or as the enforcement of natural and religious morality. Fiscal contributions are based on the consent of the community.

The Church could easily permeate such a structure, bringing to it what she had preserved of the Roman conception, the title of Empire, the ecclesiastical framework of provinces and dioceses, the theories of authority, law, morals, with religious sanction and ritual consecration. Between the military, illiterate heads of the new kingdoms of the West and the mass of the people who were serfs, the ecclesiastical class stands intermediary, while the monastery is an intermediary between the cities and the countryside. It was through monasticism that the serfs rose to be free men; every serf who became a monk was emancipated. Monasticism provided the greater number of the bishops and abbots, that is, the ruling element in the kingdoms and in the Empire. In the monasteries were libraries, and there the manuscripts of the time were gathered together; schools came into being in the shadow of the cathedrals and the parish churches. The imperial bureaucracy, though primitive, completed the picture and made the existence of a political unification felt.

The unitary conception of the West in the IX century was not achieved at once, but developed on two fronts. The one faced Byzance, with whom the quarrel over images from the middle of the VIII century dragged on under Photius, while the question of the Trinity prepared the way for the final rupture, which would come two centuries later. The other front faced the Saracens who became daily more dangerous to the whole of Europe. Thus little by little, while even the most representative men of the time were hardly conscious of it, what would later be called *Christendom* was taking shape—no longer the

Western Roman Empire, nor that which we shall call the Franco-Roman or simply the Holy Roman Empire, but Christendom, the unitary and resolvent conception of the whole Christian West.

With the death of Charlemagne, the dismemberment of the Empire and the struggle between his heirs, it seemed that the dream of imperial unity had vanished. The title was maintained, but not its authority. To make up for the secondary and insignificant figures of the Carolingian emperors, there arose popes of the first order, such as Leo IV, Nicholas I, Adrian II, John VIII, who kept alive the imperial unification of the West, uncertain and vacillating though it still was. Through them the influence of the Papacy increased, and amid the decadence of political forces became an ever more effectual centre of all social activity. Nicholas I (858–67) had a sense of the evolution that was proceeding when, for the first time, he clearly asserted the conception of the Pope as supreme regulator of kingdoms and kings.

But the clash of social forces was still primitive, passionate and barbaric. Very little sufficed to render ineffectual the civil and religious order created by the tentative of Carolingian civilisation. The Papacy did not escape the conditions of the environment of oppression and disorder into which Rome had fallen. In the century between Pope Stephen VI and Pope Gregory VI (896–996) the Roman pontificate suffered eclipse through the fault of unworthy popes, and the intrigues of Roman lords and powerful women. During the same period the Frankish Empire dragged on its existence, corroded by senility, losing its influence till, with the effective breakaway of many kingdoms and provinces, it no longer possessed a real political basis.

In spite of this, a unitary European mind and an ecclesiastical structure, Latin, Frankish, Teutonic had come into being, and from the post-Carolingian period the feudal system was evolving. This would break up the kingdoms into localised lots, indefinite in size and often tiny, but it would create a hierarchy in which the local forces led up towards the unity of the kingdom, and the kingdoms towards the empire and towards the Papacy, within the frame of Christendom as the operative fabric of a politico-religious reality.

The wholly teutonic concept of the deposition of kings or politico-military chiefs by councils or assemblies of nobles or magnates—

aristocratic bodies in which, after the conversion of the teutonic peoples, bishops and abbots dominated—became in the Middle Ages a politico-religious sanction and a terrible weapon in the hands, first of the local bishops, then of the Pope, not only as Head of the Church and guarantor of moral order in Christendom, but also as paramount representative of the Christian people and its rights, and even as lord and feudal suzerain of many kingdoms. Here was a three-fold sanction, religious, moral and political, showing in synthesis the whole significance of the evolution that had taken place in the conception of the State and the novelty of its relations with the Church.

The medieval diarchy is founded on the conception that the two powers, ecclesiastical and secular, are both within the Church (the secular power being no longer extraneous); that hence the two powers control and complement each other, while remaining distinct; and that finally the last word in ethico-social matters is reserved to the Church, as an entity absorbing into itself all earthly values, and through her to the Pope as the summit of all religious power.

This dualistic conception of an interlocked fabric of Church and State could be reached in the Middle Ages because the State was conceived as a corporation or community and no longer as an absolute entity. This meant an end of the spiritual incompatibility we noted in the time of the Fathers, which came from the paganism exalted in the Roman Empire and made of the State a symbol of the earthly city, the synthetic and institutional expression of the world, its pomps and vanities and pride. In the Middle Ages there is simply the social community, to be renewed by faith, quickened by the Christian spirit and consecrated by religious rites. This community is at once State and Church, it is Christendom; the boundaries of the two powers are set by the conciliar or papal decisions (later, Canon Law), but their co-operation is conceived as taking place within and not outside nor alongside the Church. The religious consecration of social life is at once a symbol and a reality. The King, the Emperor, arms and later knighthood, the craft guilds, the schools, the universities, all are blessed by the sacred rite, all become means of Christian co-operation in function of a supernatural life.

The monks who with Benedict in the VI century had withdrawn

into the abandoned countryside in order to pray and labour detached from the world, in the IX century had become the lords of wide expanses of land, with armed men for their defence and serfs for the heavier labours; their abbots and abbesses sat in the assizes of the realm. Their particular communities were considered as being within and not outside the greater community of kingdom or empire. Spiritual interests were combined with earthly interests, thus forming a new social whole. The forces of this society were still elementary, rude, not harmonised but clashing, and yet were potentialised by a new spiritual unification that was evolving.

Yet the X century, known as an age of iron, accentuated the clash of these primitive, not easily tamed forces. Indeed the trend seems to be towards a period of disintegration with the triumph of a conception in its material expression base, passion-ridden, violent, simoniacal, and sanguinary. Even the organisms that seemed to excel and overtop all others are shaken—the Papacy and the Empire, which decay morally and politically. But through the confused chaos of the X century new social factors, the seeds of which were sown in the century before, appear and ripen. Cluny in France, Monte Cassino in Italy, and many other inaccessible peaks or obscure valleys contain treasures of spiritual and civilising life. Culture, asceticism, social activities come once more from the mystical stream, which becomes in its turn a vigorous force of organisation, when the organising hierarchic elements of State and Church are a prey to anarchic convulsions and party violence.

CHAPTER III

PAPACY AND EMPIRE

FIRST PERIOD (962–1153)

§ 9.—The period between the X century and the end of the XIII, or more exactly, from the consecration of Otto I as Emperor in 962 to the death of Henry VII in 1313, has a specific character, that of an international diarchy superimposed on local and national diarchies. Various elements were already in existence before the period opens, and would continue working during the XIV and XV centuries, but in spite of this it must be considered apart, with its special features.

From the death of Charlemagne, the feudal system had been taking form, for though juridically its roots were set in Roman reminiscences and economically it was conditioned by the barbarian invasions, it had not till then assumed a general and political aspect. The division of lands into fiefs, held on military tenure, the need for protection to which corresponded a duty of fealty, the creation of a feudal hierarchy, the inherence of public jurisdiction in the grant and possession of land, the rights of regalia, local dues, and serfdom, constitute a whole, political, juridical, economic, which would outlast six centuries and prolong its effects for two centuries more.

The wealth and the politico-social basis of the period was land. Land formed the greater part of Church property, and the economico-political feudalisation of the ecclesiastical system was at once effect and cause. Bishops and dignitaries of the Church, abbots and abbesses, became in turn vassals and feudal overlords, for they too needed support against their enemies or against their own subjects, and they too turned their civil possession into political and military tenure.

The fundamental fact of feudalism was the fusion of a paramount ownership of the land with sovereignty or suzerainty, and the grant of land to vassals in return for a tribute or symbol of subjection, with

a bond of fealty that chiefly expressed itself as military service. The *comitatus* (a company or military band), the *commendam* (the dependence of the weaker on the stronger), the *beneficium* (a grant of land on a military tenure), were various characteristic phases of feudalism, based as it was on personal loyalty and the military mould in which society was cast. Knighthood was its typical product, which, originally individualistic, became corporational at the time of the first Crusade, with the orders of chivalry.

The infeudation of lands, as a kind of political insurance against all risks, extended so widely from lordship to lordship, from kingdom to kingdom, from lordships and kingdoms to Empire and Papacy, that the whole of the West became a network of fiefs. Thus the Pope became feudal overlord of the kingdoms of Scotland, England, Aragon, the principalities of Southern Italy, of Sicily, of Hungary. So too ecclesiastical magnates who were vassals of the Empire or of the Pope or of the kings were in their turn sovereign lords of other princes, dukes or marquises, or of vassal municipalities.

On the margins of this general infeudation stood the free cities which had kept their independence and their civic organisation. Aristocratic or merchant, such cities acted as sovereigns; such indeed were Venice, Amalfi, Salerno, Pisa and Genoa.

The feudal system had created or strengthened the subordination of the upper clergy to lay princes, in the same way as it widened the economic and political power of the clergy over their vassals and subjects. Hence the upper clergy and the lay princes came to have similar civil and military duties as inherent in the possession of land. It is not astonishing that on the one hand many bishops and feudal abbots became worldly, resembling the lay princes in everything, and that on the other the sovereign princes sought to have ecclesiastical vassals whom they could trust, men at home in camp or court, or that, worse still, in a period of scarcity of currency and poor economy, they should sell ecclesiastical benefices for a price.

A result was the intrusion into the ecclesiastical order of ignorant and gross men, laymen and men-at-arms improvised as bishops. Concubinage, simony and ignorance were its most common symptoms. A symbol of the feudal transformation of the higher, beneficed clergy

was their investiture by emperor, king or overlord, with the ring and staff. The local elections and consecrations of bishops and abbots in practice were not valid without the assent of the sovereign and the investiture he conferred. The political element overlaid that which was strictly ecclesiastical.

Although the type of feudalism differed much in France, Germany, England and Italy, yet from the point of view of relations between Church and State the problem everywhere reduced itself to this: the Church, through her highest authorities, had acquired a co-share in the political, economic and military order, at the expense of her religious and disciplinary autonomy, while the State, though of feudal character, dovetailed into the fabric of the Church. The two formed a single community, feudal, military and religious.

The continuous chain stretching from small vassal units up to the universal sovereignty of Empire and Papacy corresponded to the spirit of the feudal community and its structural requirements. And though towards the end of the IX century and at the beginning of the X the Papacy had reached a low ebb through the strife of factions and the intrigues of powerful men and women, yet it never abandoned the imperial idea, not even when the Carolingian kingdom was definitely reduced to pieces (888). Benedict IV consecrated Louis of Provence as Emperor in 901 and John X chose Berengarius of Friuli in 915. These were emperors without real authority, as indeed were most of the Carolingians, till the coronation in 962 of Otto I of Saxony, who had already won power over nearly all Germany and Northern Italy.

The nomination of Otto, by an unworthy pope for personal political reasons (John XII), had not for contemporaries the solemn significance of the crowning of Charlemagne by a great pope like Leo III. It seemed merely the choice of the most powerful king of the time, certainly a happy choice. But times had changed, nearly two centuries had not passed in vain. The spread of feudalism, the formation of the weak and warring local kingdoms, the decay of the authority of Rome, the nominal consistency of the empire, the continual menace of the Saracens, the break-away of the East were historical circumstances that made the election of Otto I a turning point in the history of the

Middle Ages and a significant date in the creation of the Holy Romano-Germanic Empire.

Otto I had the same view of his function as Constantine and Charlemagne; he too considered himself a 'bishop of bishops' with the task of restoring the Papacy. The latter had to be raised to the moral height of its office, disentangled from Roman factions and made capable of undertaking the reform of the Church. If this enterprise was to succeed it was necessary for the emperors to reach an understanding with the Roman people and clergy over papal elections. And although Otto's endeavours had ambiguous results, such as the elections of Benedict V and of Leo VIII, whose legitimacy is questioned (Leo VIII does not figure in the list of popes of the Pontifical Annual), the system would later produce good results, beginning with Benedict VII (974–83) who made timely laws against simony. The two popes who, nominated by the Emperor and ratified by the Romans, stood for the new policy of reform in the Church and union of Papacy and Empire, were Gregory V, the first German pope (996–9) and Sylvester II, the first French pope (999–1003). These collaborated with Otto III in the reorganisation of Christendom. This now extended to Hungary, recognised as a new kingdom under Stephen I, which would mark for centuries the bulwark against both the Greek schism and the Crescent. Under the three Ottos (962–1003), then under St. Henry II (1014–24), and again under Henry III of Swabia (1037–56), the diarchy of State and Church in the West seemed to reach its fullest unification in the diarchy of Empire and Papacy.

It is true that the Empire, in the political sense of the word, embraced only Germany, Northern Italy (with the exception of Venice), Burgundy and the various principalities of Central Europe, and, for a limited period, Southern Italy and Sicily also. It was juridically rather than politically that it stood for the unification of all Christendom. The Empire never ceased to advance certain rights over France, the Aragonese, England, and other regions looked upon as independent, and even over the Byzantine Empire itself. Even leaving aside certain formal acts on the part of autonomous States such as England and Aragon, recognising the Empire as a term of politico-legal unification, the fact remains that in the prevailing

conception of the time—from the X century up to the great controversies and the formation of the national monarchies—Empire and Papacy were the symbol of the Christian and feudal unification of Europe, and religious subjection to the Papacy was reflected in a kind of recognition of the moral (if not political) preeminence of the Empire. This was enhanced by the fact that on the one hand the emperor was approved and consecrated by the Pope, and the Pope was chosen with the consent or on the proposal of the emperor. There was a link between this system and England, Scotland, Aragon, Hungary, Sardinia, Corsica and Southern Italy, in as much as they were or would become feudal vassals of the Holy See.

To appreciate the moral and unifying value of such various and, at bottom, dissimilar elements, as converged in Papacy and Empire, we must remember that in those days the idea of a political State was lacking, and instead the idea of community or corporation had grown up, in which the diverse autonomous and heterogeneous elements were welded together by moral factors such as religious faith, feudal loyalty or allegiance, the solidarity between men of a trade, and the freedom entailed by privilege or immunity. All this would lead, between the XI and XIII centuries, to the titanic struggles between Papacy, Empire and free municipalities and would open the way to the renewal, moral and artistic, cultural and political, of the West.

§ 10.—At the beginning of the XI century the reform of the Church was urgent, and, given the structure of the society of the time, reform of the Church carried with it the reform, or rather the transformation, of political society itself. The need for a reform of the Church was felt in all circles, ecclesiastical and political, monastic and secular. The activity of the Ottos and the Henries, as that of the more enlightened pontiffs and bishops of the X century and early XI century had been directed to abolishing marriage of the clergy, repressing simony in the grant of ecclesiastical benefices, and raising the standard of religious morals and culture.

The growth of monasticism, in a great ascetic and mystical renaissance, did much for the formation of churchmen, among whom two stand out above all the rest, Peter Damiani and later Bernard of Clair-

vaux. St. Bruno of Cologne and St. John Gualbert of Florence revived the spirit of pure detachment and withdrawal from the world (even from the ecclesiastical world), as Benedict of Nursia had done in the VI century and St. Romuald of Ravenna in the X century.

This purely spiritual reform affected individuals, and only indirectly influenced the institutions of social life. To hear Peter Damiani, the Emperor Henry III made ecclesiastical morals flower anew; to hear Hildebrand, Henry IV had plunged the Church into the mire. Actually it was not a case of so rapid a transition in a few years, from the death of Henry III to the maturity of Henry IV. The evil existed and had filtered into the very fabric of the Church, bound as it was, economically and politically, to the feudal constitution of kingdoms and Empire. Henry III had fought the evil (in his own way) and Henry IV (in his own way) encouraged it, but under Henry III as under Henry IV, throughout Europe the ferments of degeneration were working, such as the simony, secularisation and ignorance of the clergy.

To deal with this situation there were two methods, which we find in course at the beginning of the XI century. There was that of accentuating the duality of the powers then known as *Sacerdotium* and *Regnum*, the spheres of Priest and King, so as to bring about the detachment of the clergy from all worldly, economic and political cares. And there was the other which, while affirming the moral need for detachment, would rather accentuate the political intervention of the Church, under a prevalently religious aspect, with the open aim of unifying all public powers in the Papacy. In substance, they are the familiar streams, the mystical and the organisational, perennially operative in human society, each of which gives its own aspect to individual activities and to the historical phases of events, according to the special characteristics of the different ages.

Peter Damiani and Hildebrand can be taken as symbols of the two streams, the mystical and the organisational. But it is well not to insist too much on such formulas, for both men, and their followers, imitators and defenders in their turn, acted now on the plane of political and religious organisation, now on the strictly spiritual plane of detachment and individual purification, while both engaged in the radical

fight against the evils that afflicted the Church and the whole of medieval society.

We may distinguish two questions that develop and intersect in the first period of the conflict, which stretches from the death of Henry III (1036) to the Peace of Worms (1122). The first is the question of investitures, the second that of the papal power to depose a king or emperor. Gregory VII decided to make an end of the lay investitures, which for over a century had troubled the whole Western Church, and he went straight to his goal. There was no other means but to enforce the decrees prohibiting such investitures, by excommunicating and deposing both those who conferred and those who received them. And since the former were princes, kings and emperors, the latter bishops and abbots, it was at these he would have to strike, with authority and resolution. He would face the consequences—rebellions, double nominations in the case of contested benefices, schisms and wars. Only a radical cure could save the Church.

To do this, to face a truly decisive struggle, Gregory VII had to have not only a part of the clergy and people with him, but also the means for enforcing his will, and this reduced itself, in plain terms, to maintaining the excommunication of the guilty and causing it to be observed. In respect of the clergy it would be enough to persuade the faithful or monks to separate themselves from excommunicated bishops or abbots; otherwise the community, city or region that rebelled would be put under interdict. Zealous emissaries, such as Peter Damiani and many others like him, went all over Europe depriving simoniac and concubinary bishops, ensuring the canonical election of pastors better fitted to the sacred ministry, pacifying insurgent peoples, appeasing angry princes, arguing on the rights of *Regnum* and *Sacerdotium* with nimble-witted legists or pedantic canonists. Their task was no easy one; passions were heated, and the outcome was now happy, now the reverse.

Where the lay rulers were concerned, it was equally necessary to strike at the roots, even though such a policy was in itself revolutionary. Gregory VII was not a man to be checked by the first obstacles. In the beginning he was patient though firm. The first with whom he had to deal over the investitures was Philip I of France. Thereupon, the dis-

patch of nuncios and of letters, threats of excommunication and deposition, letters to the bishops of France ordering them to resist. Then the question was laid before the Lateran Council (1075) which declared that Philip would be considered as excommunicate if he gave no surety of amendment—'*si nunciis papae ad Gallias ituris de satisfactione sua et emendatione securitatem ne fecerit*'.[1]

Not long before had come the conquest of Sicily, Apulia and England by the Normans. After their conversion to Christianity early in the X century they had become its champions, propagators and protectors, ready, none the less, to enter into conflict with the popes. Gregory VII found in them allies and collaborators. The famous Lanfranc of the school of Pavia, (who went to Avranches to teach law, and then became a monk at Bec), followed William the Conqueror to England. He was appointed Archbishop of Canterbury and, helped by William (who at the same time believed in keeping the clergy more subject to himself than to the Pope), introduced the Gregorian reform with certain mitigations, against the married and simoniac clergy. William II renounced the investiture of bishops by staff and ring, almost at the same time as Koloman, King of Hungary, in the Synod of Guastalla (1106).

The most prolonged and resounding conflict on this question was that which Gregory sustained against Henry IV of Germany, whom he excommunicated and deposed. Pardoned at Canossa, Henry renewed the struggle, but the Pope would not yield, deposing him a second time and releasing his subjects from their oath of allegiance. The Investiture Conflict between popes and emperors would continue after Gregory VII, not only with Henry IV, who died in 1108, but with his successor, till the Concordat of Worms (1122), when the Pope, Calixtus II, and the Emperor Henry V would reach a compromise on their respective rights. Between the full claims of Gregory and the agreement reached by Calixtus, came a radical essay, that of Paschal II, which merits attention because of the light it throws on that turbulent period. Paschal, after having several times confirmed the decrees of prohibition, at the end of a series of negotiations won from Henry V a pledge to renounce the investitures in return for a pledge

[1]Greg. VII, Registrum 11, p. 52.

on the Pope's part to renounce and make all bishops, abbots and beneficed clergy renounce their rights to feudal 'regalia', since it was these rights that gave a justification to the system of royal or imperial investiture. By Paschal's plan the Church did not lose the actual property involved, but this, by the fact of such renunciation, was freed from any feudal service with the loss at the same time of such rights (we should say political rights) as this entailed.

By this initiative Paschal II represented the spiritual movement of the period at its highest point. He put the axe to the roots. The text of his *Privilegium Primae Conventionis* makes it crystal clear. 'In parts of your realms bishops or abbots are so much occupied in secular concerns, that they are obliged to take assiduous part in the companies and to give military service. These things, alas! rarely if ever are accomplished without rapine, sacrilege, burning or homicide. . . . It is necessary that the bishops, freed from temporal cares, should occupy themselves with their people and should no longer absent themselves from their churches. For they, as the Apostle Paul says, keep watch knowing that they will have to give account for the souls of these.'[1]

Henry had undertaken in writing to renounce the investitures on the day of his coronation as emperor, but when he reached Rome he consulted with the German and Lombard bishops, who opposed the project. It was to his own interest to show them that it was not of his seeking and that he had no desire to deprive them of such rights. The bishops and prelates rose against the Pope, and went so far as to accuse him of heresy—as was easy enough when it was a case of material interests bound up with an ecclesiastical system of authority and dominion. Finally Henry took Pope and Cardinals prisoner, and left Rome, dragging them after him. By threatening to promote a schism and to lay waste the territory of Rome, he forced the imprisoned Pope to recognise his right of investiture. It was only for a

[1]'In regni autem vestri partibus episcopi vel abbates adeo curis saecularibus occupantur, ut comitatum assidue frequentare et militiam exercere cogantur. Quae nimirum aut vix aut nullomodo sine rapinis sacrilegiis incendiis aut homicidiis exhibentur . . . oportet enim episcopos curis saecularibus expeditos curam suorum agere populorum nec ecclesiis suis abesse diutius. Ipsi enim juxta apostolum Paulum "pervigilant tanquam rationem pro animabus eorum reddituri." '(*M. H. G.*, Lec. IV, Const., Vol. 1, p. 90.)

little while. The bishops themselves reacted, and Paschal repudiated the concession torn from him by violence, reconfirming the previous decrees of prohibition.

This episode did not, as might have been expected, have any wide repercussions either at the time or subsequently. Paschal's solution was not appreciated by the spiritual and mystical streams, nor did they later turn it to account; it was not seen in its true light by the organizational streams, which never had recourse to it. For the former, the retention of church properties and of the wealth of the clergy must have seemed too timid an advance in the path of reform; for the latter, the Church, in renouncing the regalia, would have abandoned her positions of direction and influence over Christendom.

The heated opposition of the clergy of Germany and Northern Italy, and perhaps of other countries also, might at first sight be attributed to the fact that many had received royal investiture and were bound to court life and the interests it created. But in many there was also the dread of a leap in the dark, a horror of drastic solutions. They must have perceived, albeit vaguely, that to accept the decision of Paschal II would have meant a revolution, upsetting the balance of the social structure by withdrawing a large part of feudal lands from their political function. Even if Paschal's measures had been put into effect, perhaps it would not have been long before matters returned to what they were before, through the difficulty of improvising another régime that would meet the needs of the turbulent and insecure situation of society of the time. Moreover, neither the popes nor the reformers had adequately worked out such a solution, which, though logical, found the historical climate unprepared for it.

Hildebrand's programme, both before and during his papacy, meant abolishing the effect, namely lay investiture, without abolishing its chief cause, the feudal power of ecclesiastical rulers. Therefore he had to carry to its widest conclusions the political conception of the age, permeated as it was by ecclesiastical elements. What he sought was to divert the course of unification from Empire to Papacy. Whereas from Otto I to Henry III, for over a century, the Emperor had been the unifying centre, from Pope Leo IX, and still more vigorously from Gregory VII, the centre of unification was coming to be the Papacy.

The latter was asserting itself in decisive fashion, facing kings and emperors, ready to excommunicate and depose them, appealing to princes and peoples, promoting alliances and military leagues. Moral and material force combined would defend the rights of the Holy See and at the same time the conception of the Papacy as centre of Christendom, or rather of the whole world.

This conception ripens little by little through the Middle Ages, and is favoured by events, so that, despite the opposition of imperial or royal courts—made for the most part by eminent ecclesiastics and subsequently also by lay legists—it comes to prevail in the general consciousness, by which it is sustained as at once an historical and logical exigency of Christian society. It is true that men like Peter Damiani grieved to see the Church mixed up with earthly interests and methods. He blamed the war of Leo IX against the Normans, which, proclaimed in the name of the Holy See, seemed to him less religious than political, and in which the Pope fell a prisoner to his enemies. Peter Damiani did not admit the use of arms on the part of the ecclesiastical authorities. But this thesis found little support in those days, when most of the bishops were invested with the rights of regalia and were obliged to give feudal service, often following the kings and emperors on the field of battle. The feudal, military character of society was such that not even Gregory VII could escape its influence. On the contrary, he was constrained by his own policy to confront the adversaries of the Papacy by armed force. In this he was aided by the Countess Mathilda of Canossa, who fought in his defence and in defence of the popes who succeeded him, and who, by the donation of her lands to the Holy See, helped to enlarge its territory. Other motives of war sprang from the Norman conquest of Southern Italy. Gregory VII, like his predecessors, as occasion demanded, now favoured, now combated the policy of the new conquerors. These had obtained from the popes a feudal title and Roger of Sicily—who sought to latinise the island, till then mainly greco-byzantine in its rites and in its relations with the ecclesiastical hierarchy, in so far as was allowed by the Saracens who dominated there—had obtained the title of Legate Apostolic. Gregory, who feared that the power of the Normans might become a menace to the Holy See, wished to limit it in Southern Italy to Apulia.

The struggles were very bitter, and he himself was defeated and put to flight. He died in exile at Salerno (1085), the champion of a vast programme of reform rather than of the method imposed on him by the conditions of the age.

His successors carried on both programme and method, with the adaptations and developments necessary. The plan of Paschal II, which had found the reforming currents unprepared for it, had no sequel. But what could not be obtained by a formidable renunciation, would come about little by little with the course of time, like a worn-out garment that is laid aside as no longer corresponding to social requirements. Dimly and confusedly, the idea remained. Half a century later (1159) when Adrian IV requested Frederick Barbarossa not to exact feudal tribute from the bishops of Northern Italy, the Emperor replied that he was ready to agree if the bishops spontaneously renounced their regalia. Earlier than that Innocent II, on the occasion of the coronation of Lothair II (1133), had forbidden the German bishops and abbots 'to seize or usurp the regalia of their offices except from the Emperor's grant'. The legal positions were unchanged, but the spirit behind them was somewhat different. As political power became more and more centralised, public administration would assume an impersonal legal character, the lawyers would be laymen, fortresses would be transformed into towns, and a rich burgess class would come into being. But the Church as a whole was so bound up with the feudal system that she was constrained to make this the basis of her activity, claiming for herself the supreme sum of powers, and seeking more and more to become the term of unification in the international diarchy of Papacy and Empire.

§ 11.—Before Gregory VII there had been other popes who proclaimed their power to be above that of kings and emperors, or threatened to depose princes, whatever their rank. But when Gregory VII, in fulfilment of the threat, deposed Henry IV, released his subjects from their oath of allegiance and made him go a penitent to Canossa, the concrete and resounding fact threw the theory of papal power over kings into such relief (especially in the century following), as to create a belief that Gregory was its author. It was thus made to appear as an unheard-

of novelty, to be considered (according to the point of view) either as the logical culmination of the supreme *Sacerdotium*, or else as a usurpation of powers, an arbitrary abuse, an act of violence.

The deposing of kings or princes was a structural element of the teutonic political community. The idea of the divine right of kings had not yet entered the consciousness of feudal society; instead that of community or corporation had taken shape, grafted on to the Christian conception of the religious community, the Church. Although the deposing of an emperor would stir the whole of Europe, the action of Gregory VII did not go beyond the sociological framework of the time; it was an historical development, which would subsequently be crystallised in juridical form.

Henry IV in his defence, contesting Gregory's right to depose him, admitted that kings might be deposed for heresy, according to the tradition of the Fathers, which taught, he said that he 'could be judged only by God' and 'could not be deposed for any offence, save touching faith'.[1] The fact remains that traditionally, and in the parlance of the time, simony was called heresy. Gregory's argument begins where that of the Emperor's advocates leaves off. He worked out his idea not so much on the plane of the penitential laws of the Church (though he quotes Theodosius and St. Ambrose and inflicted on Henry the harsh penance of Canossa), as on the plane of the religious social order. 'The Christian religion so proceeds that the royal power is steered, after God, by the care and dispensation of the apostolic dignity'.[2] Thus his Epistle VII. And while Leo IX, in order to uphold the 'earthly Empire' and the 'royal Priesthood' of the Apostolic See of Rome, appeals to the pretended Donation of Constantine,[3] Gregory VII eschews such arguments, since for him the universal social authority of the Church is founded not on any human concession but on a divine dispensation. The power given to St. Peter to bind and loose leads Gregory to see the Papacy as the apex of all powers on earth. Turning

[1]Soli Deo judicandum docuit, nec pro aliquo crimine, nisi a fide, quod absit, exorbitaverim depondeum asseruit.' (*Mon. Germ. Hist.*, Legum, Sec. IV, Const. Vol. I, p. 62.)

[2]Religio sic se movet christiana ut cura et dispensatione apostolicae dignitatis post Deum gubernetur regia. (Greg. VII, Ep. Coll.)

[3]Epist. C. to the Patriarch of Constantinople.

to the members of the Roman Synod of 1080, after the second deposition of Henry IV, he adjures them thus: 'So act, I beg you, most holy Fathers and Princes, that the whole world may understand and know that if you can bind and loose in heaven, on earth you can grant or withhold—according to each man's merits—empires, kingdoms, principalities, duchies, marquisates, counties and the possessions of all men. For you often take from depraved and unworthy men patriarchates, primateships and archbishoprics, to give them to men of religion. If then you judge in things spiritual, should you not be deemed competent to judge in things temporal?[1]

Between the conception of Peter Damiani and that of Gregory VII there was a notable difference. While conceiving the imperial or royal power as within and not outside Christendom, like all writers from the IX century onward, Peter Damiani held to the Gelasian theory of the relative independence of two co-operating powers, so that the secular power was subordinate to the ecclesiastical simply and solely in spiritual matters. Gregory VII, on the contrary, holding that the independent and co-operant duality of *Sacerdotium* and *Regnum* led to the preponderance of the latter (as had happened from Otto I to Henry III), and hence made the Church in practice dependent on the secular power, introduced the theory that the secular power was dependent on the Church. He thus transferred the preponderance from Empire to Papacy, not only in theory but in fact.

To this conception he was impelled especially by the idea of Christendom that had taken shape from Charlemagne onwards, as the unity of Christian society under the two-fold order, spiritual and temporal. This unity could not be real unless the *Sacerdotium*, pre-eminent in dignity and ends, unified the diarchy as ultimate and resolvent power. Therefore he did not feel he was encroaching on the royal or imperial power; on the contrary he believed that he was remaining within his

[1]'Agite nunc quaeso, patres et principes sanctissimi, ut omnes mundus intelligat et cognoscat, quia si potestis in coelo ligare et solvere, potestis in terra imperia regna principatus ducatus marchias comitatus et omnium hominum possessiones pro meritis tollere unicuique et concedere. Vos enim patriarchatus primatus archiepiscopatus frequenter tulistis pravis et indignis, et religiosis viris dedistis. Si enim spiritualia iudicatis, quid de saecularibus vos posse credendum est?' (Greg. VII, Ep. Coll., Vol. VII, p. 14.)

own religious sphere. The struggle upon which he had entered had a religious character and ends. The power he claimed to him was sacerdotal, in its highest and fullest expression. If he claimed the right to depose kings, release subjects from their oath, allocate kingdoms to those who were worthy, arbitrate on political or economico-political questions (the attribution of fiefs), he did so for religious ends. And thus he widened the significance of St. Peter's power to bind and loose, making it extend to temporal matters. This cannot be said to be a Hildebrandine invention, for various pronouncements of popes and writers in the previous period tend towards such an extension. Nicholas I (858-67) had seen in St. Peter's two swords a symbol of the corporal sword with which he struck Malchus and the spiritual one with which he struck Ananias. Peter Damiani himself, who did not like to see popes and bishops involved in worldly matters, had written that Christ 'committed to the blessed Bearer of the Keys of eternal life the rights of both the earthly and heavenly empire',[1] but he did not mean to extend the 'rights of earthly empire' to cover the temporal power of kings.

But controversy over the acts of Gregory VII led still further, and both powers were called in question. Henry IV in his letter to the Bishops of Germany in 1076, interpreting the symbol of the two swords, attributed the spiritual sword to the pope and the temporal sword to the emperor, while he denounced the 'madness of Hildebrand' in 'destroying the economy established by God'.[2] Gregory for his part the same year was writing to Bishop Hermann of Metz : 'But perhaps they think the royal dignity excels that of a bishop. From the origins of these they may gather how much each differs from the other. The former was invented by human pride, the latter instituted by divine piety. The former is incessantly seeking vain glory, the latter always aspiring to celestial life'.[3] To the same bishop he wrote in 1081, in-

[1]'Qui beato vitae aeternae Clavigero terreni simul et caelestis imperii jura commisit.'

[2]*Mon Germ. Hist.*, Const. I, p. 112.

[3]'Sed forte putant quod regia dignitas episcopalem praecellat. Ex earum principiis colligere possunt quantum a se utraque differunt. Illam quidem superbia humana repperit, hanc divina pietas instituit. Illa vanam gloriam incessantur captat, hæc ad coelestem vitam semper aspirat.' (Greg. VII, Registrum IV, p. 2.)

sisting on the historical origin of the secular power: 'Who does not know that kings and dukes originated with those who, ignorant of God, by pride, rapine, perfidy, homicides, in a word by almost every crime, egged on by the prince of the world who is the devil, in blind cupidity and intolerable presumption affected dominion over men their equals?'[1] This thesis of the origin of power (which is a clear echo of certain Fathers and ecclesiastical writers who made it a consequence of Original Sin) was inspired merely by polemical motives, but it obscurely precluded the thesis of the necessity of priestly mediation if worldly power was to become moral and Christian, a thesis that would be worked out with its full bearings by Inocent IV. In the meantime the conception of papal power in temporal matters on a religious and ecclesiastical basis (which would be known as 'direct power' *in temporalibus*) was taking shape.

On the other side, the resistance of the imperialists to the decisions of Gregory VII accentuated the theory that the power of kings comes from God, to the point of making it imply (as it had not done before) that the king's conduct could not be called in judgment and that the person invested with such power could not be removed. With time these elements would form the theory of the Divine Right of Kings. The starting-point of the two juridical theories, the 'direct power' of the popes and the 'divine right' of kings, is to be found in the positions taken up by Gregory VII and Henry IV. This does not mean that we do not encounter vague indications of these theories in the preceding period, and we have noted traces of them here and there. But events precede juridical formulas. The unification of the international diarchy, first in the Empire then in the Papacy, anticipates the conflict and creates it ; the successive theoretical formulations lay down the limits of the actual positions reached by Papacy and Empire. Juridical recognition is posterior to the trend of the diarchy towards unification and to the necessity for unification felt now by vigorous emperors, now by combative popes of genius. It is this necessity that is reflected on

[1]'Quis nesciat reges et duces ab iis habuisse principium, qui, Deum ignorantes, superbia, rapinis, perfidia, homicidiis, postremo universis pene sceleribus, mundi principe diabolo videlicet agitante, super pares, scilicet homines, dominare caeca cupidine et intolerabili praesumptione affectaverunt?' (*Id.* VIII, 21.)

the religious plane as the theory now of the divine origin of royal power, now of an unlimited concession made by Christ to St. Peter.

In the Gelasian period, when for the unification of the Christianised Roman empire men looked towards Byzance, it was not long before the position was legally formulated in Justinian's *Corpus Juris*, and other books assembling and welding together the principles of a Roman Law combined with Christian law. Again, in the Carolingian period the principles of the *Liber Canonum* given by Adrian I to Charlemagne become general; it is followed by the *Pseudo-Isidoriana*. In the same way in the Hildebrandine period, when the unification of Christendom comes to focus round the Papacy, the result is the canonical collection that would serve as basis to the culture of the age and form the juridical groundwork of the West for many centuries, indeed, up to the modern legal codes. The *concordia discordantium canonum* of Gratian, a monk of Bologna, which appeared between 1140 and 1150, while not authorised was received and adopted as though it were, and became the standard work under the name of Gratian's *Decretum*. It was followed by various *Collectiones*, made by private authors for the use of the schools, and finally by the official codification of Raymond of Pennaforte (1234) compiled and arranged by order of Gregory IX, to be followed in its turn by yet others equally official, up to those of Boniface VIII and John XXII.

The culture of the centuries that saw the opening of the chief universities of Europe was prevalently religious, based on Scholasticism on the one hand and Canon Law on the other, and this culture formed the battlefield for intellectual and practical combats up to the Renaissance. Dante would complain that the clergy instead of studying the Scriptures and the Fathers studied the Decretals. In this there was some polemical exaggeration; in actual fact the Decretals constituted the legal crystallisation of the ecclesiastical power.

From Frederick Barbarossa onwards, the emperors and kings sought to counter Canon Law by a series of constitutions and affirmations vindicating their independence and even superiority. Legists had an important place in their suites and animated the controversies of the time. In such documents the renaissance of Roman Law and reaffirmations of feudal law combined with scriptural exegesis and echoes

of the Fathers. But it would take two centuries of controversy and conflict to change public opinion. In these two centuries the consolidation of Canon Law and of the unification not only moral but also juridical of all Christendom in the Papacy, though opposed on particular points, from the point of view of the social organism would become complete.

§ 12.—Between the end of the XI century and the beginning of the XII we find various factors at work that would alter the social structure of the age. Above all, the expansion of municipal life which helps to give the burgess class a personality and initiative of its own, making it independent of the armed aristocracy and of the feudalised and court-bound circles of ecclesiastics. The communal corporation or '*universitas*' as a federation of the various guilds or corporations of arts and crafts, the distinction between categories of citizens, each sharing in a diverse manner in civic life, the development of the Commune into a political State and the federation of the Communes for war and peace are a specifically Italian product. But under different aspects and with varied interaction of feudal, ecclesiastical and burgess forces, we find similar phenomena in Provence and in parts of France and Spain, in the Rhineland and in Central Europe—in the countries where small civic industries, trade and traffic, schools and universities were growing up, for all this demanded classes unhampered by feudal subjection, and an articulated economy.

As little by little the Communes emerged from the economic and municipal sphere into that of politics (as they were driven to do by the situation of the time, the need for security and the jealousy between neighbouring cities), they were drawn into the orbit of either Empire or Papacy, no longer as feudal vassals but as partisans or allies. The idea of liberty that grew up in the Commune was that of the freedom of the communal body, a corporate freedom, that rendered it self-governing in its administration and free, by right of immunity, from the feudal system. It meant the conquest of economic freedom within the guild, of municipal freedom within the Commune, of political freedom in the City State, and even of a certain religious freedom, both in the sense of non-dependence on the Church as a politico-

ecclesiastical power, and also of a practical freedom in giving shelter to the heretical sects that grew up within them.

The very necessity of guarding these conquests and defending them against troublesome and overweening neighbours, as well as against pope or emperor, divided the communes according to whether they looked to pope or emperor as protecting power. In half a century the municipalities of Northern Italy would be in a position to face Frederick Barbarossa and force him to surrender. The moral starting-point of the transformation comes from Gregory VII. He more than once released the subjects of Henry IV from their oath, appealing to the people against their king and emperor; he increased the papal power in Central Italy with the help of the Countess Mathilda; he gave new consciousness to the people and burgesses, rousing them against feudal lords in conflict with the Church and against the simoniac bishops.

The old seafaring cities of the Mediterranean and Adriatic, which had kept their autonomy and personality through the centuries, whether under Byzance or under the Franks and Germans, now received a new strength and a new impulse from the municipal movement of Northern and Middle Italy, and they too took part in the struggle between Guelf and Ghibelline, with a colouring now orthodox now heretical.

Another factor of change was the Crusades to free the Holy Sepulchre from the Mussulmans and to check their advance, which threatened the Greek Empire. The Crusades on the one hand diverted the energies of the nobles and military classes of feudalism, and this facilitated the development of industrious classes of craftsmen and traders and swelled the ranks of the bourgeoisie. On the other hand they enhanced the prestige of the Roman See and made the Papacy the authorised champion of the West against the infidel peril, and the representative of Christendom before all faithful peoples, princes and emperors. And since the main contribution to the Crusades came from the Franks, these would later become the founders of the Latin Empire of the Levant (in spite of the fact that emperors such as Frederick Barbarossa and Frederick II were leaders of Crusades); in Europe the predominance of the Kingdom of France is already foreshadowed.

The foundation of the orders of chivalry of an hospitaller character (the Templars are of 1123, the Hospitallers proper of 1130) was the beginning of those active, autonomous confraternities which, whether military or purely religious, would acquire an important function in the XIII century through both their numbers and character. Directly or indirectly they would contribute to the disintegration of the feudal structure, just as the municipalities so contributed from the XII century onwards. The orders of chivalry regimented many members of the feudal nobility in autonomous organisms that would soon become rich and powerful. Also the colonising monks and the religious brotherhoods would acquire autonomy and power among the people of the countryside, who because of their lamentable economic situation were often in ferment against the big feudatories, whether lay or ecclesiastic. The struggle of the popes and monks against simoniac and concubinary bishops and prelates was a popular struggle, for such clerics held church property and benefices, and made themselves odious to the people by their exaction of tithes, tolls and other feudal dues. Commune, people, monks and friars, were shaking the foundations of the society of the time.

Another factor of remarkable importance was the schools, which in the XII century multiplied rapidly—a mixture of individualism and of a corporatism *sui generis*—attracting youth that was athirst for knowledge. The intellectual reawakening had unlooked-for consequences. All traditional knowledge is re-examined, the principle of authority is re-debated, human society analysed afresh. Culture is religious and will remain so; hence the intellectual, moral and social problems are seen in the light of religious values. In spite of this, there is a tendency towards an autonomy of reason, which at once alarms the rulers of the Church, even though often they too hunger for the new. The forerunners of Scholasticism, Anselm of Aosta, Roscelin, Gilbert de la Porrée, William of Champeaux, and, with wider influence, Peter Abelard and Peter Lombard, dominate the culture of the age and represent the innovators and renovators of culture, in the face of the patristic and mystical tradition of the Victorines and of St. Bernard.

The last-named had a special role and a special influence. The forma-

tion of the ever-growing group of Cistercian monks, detached from honours and office, brought into touch with peasants and serfs (who were often abandoned or at the mercy of inhuman lords, lay and ecclesiastic), intent on the colonisation of the land and the development of agriculture, was of great moral and economic benefit and contributed to social evolution.

Bernard, while not ceasing to be a monk and a rigorous ascetic, stood in the midst of a world in ferment. In the humble work of his agricultural monks, in the preaching of the Crusade for the liberation of the Holy Sepulchre, in the foundation and development of the knightly orders, in the rebirth of the Communes, in the debates of the schools, in the repression of heresies whether intellectual or popular, in the struggle against lay investiture or against schisms, in all that was seething in the first half of the XII century we find Bernard taking up position, encouraging, resisting, anticipating, foreseeing, fighting. His figure is gigantic, in its lights as in its shadows; he was able to unite in himself the two permanent forces of the Church, the mystical and the organisational, and to impel them to mighty realisations.

He might seem a grim conservative in his struggle against the new elements that were arising, rational scholasticism and the free communes, but it was principally a religious defence that drove him against Abelard and against Arnold of Brescia. His patristic and mystical culture cuts a deep furrow; it would remain fruitful for centuries by the side of triumphant Scholasticism and would provide a vital nourishment when Scholasticism had become an arid concatenation of syllogisms. To the Communes Bernard would bring forces of renewal and vital elements, through the agricultural and artisan classes redeemed by the numerous colonies of Cistercians. The failure of the Crusade was the grief of his last years, but by the impulse he gave to the foundation of the chivalrous Orders (to which he gave powerful support and wise rules), he prepared the way for the subsequent crusades and wars against Islam.

The figure of Bernard assumes a singular aspect in the controversies of the time over the *Sacerdotium* and the *Regnum* and over the spiritual position of the Papacy. As champion of the unity of the Church and of Christendom, he fought vigorously against the schism of Anacletus

II and ensured the triumph of the legitimate pope, Innocent II. He sought always to reconcile the dissident princes of every country with the Papacy. His conception was prevalently religious, like all the conceptions of the age, but he does not reach the complete political unification of Christendom in the Papacy; he sees the two powers, the spiritual and the temporal, as distinct and co-ordinated within the Christian unity, neither confounding them nor making one derive from the other.

Bernard is on the lines of Peter Damiani, both in proclaiming the spiritual superiority of the pope over princes, kings and emperors and in refusing to the Church the direct use of material power. The famous passage that has divided St. Bernard's commentators, who have used and abused his immense authority, runs as follows: '*Uterque Ecclesiae, et spiritualis scilicet gladius et materialis; sed is quidam pro Ecclesia ille vero et ab Ecclesia exercendus; ille sacerdotis manu, is militis manu, sed sane ad nutum sacerdotis et iussum imperatoris.*'[1] St. Bernard inserts this passage in his *De Consideratione* where he is speaking of the pastoral ministry of the Pope in Rome towards his people and his court, where there are many who are not sheep but 'dragons' and 'scorpions'. These must be attacked 'by the word, not by the sword—*verbo non ferro*'. It is here that Bernard opens a parenthesis to say that the Church has the power of the material sword, to be wielded by the hand not of the priest but of the warrior at a sign from the priest and on the order of the Emperor.

He is referring rather to the coercive power of the Church than to her political power, though the passage was interpreted to extend to the political power. This seems foreign to Bernard's mind, as manifested in other passages of his writings. But since this idea had been ripening for two hundred years, his symbolic crystallisation of it in the two swords would henceforth remain, as a theological proof drawn from the Gospel, while the interpretation, as was natural, would be swayed by subsequent polemics.

If the passage is compared with the similar one in the Bull *Unam*

[1]*De Consideratione*, Bk. IV, Ch. III, p. 7. 'Both are of the Church, the spiritual sword and the material, but the one is to be exercised only for the Church, the other also by the Church, the one by the hand of the priest, the other by the hand of the warrior, but at a sign from the priest and on the order of the Emperor.'

Sanctam of Boniface VIII, we see that this follows it word for word, but there are two changes that reveal a diversity of thought. Where Bernard writes '*militis manu*' Boniface corrects it to '*manu regum et militum*'—in the hands of kings and warriors, so that kings are reckoned as executors. And where Bernard writes: '*ad nutum sacerdotis et iussum imperatoris*'—at a sign from the priest and on the order of the emperor, thus marking the duality of powers and functions even in their co-operation, Boniface corrects it to : '*ad nutum et patientiam sacerdotis*—at the sign and on the sufferance of the priest.' For Boniface, the supreme function remains with the pontiff alone.

St. Bernard in his letters and in the treatise 'On Consideration', which was addressed to his beloved disciple Paganelli of Pisa, when he became pope under the name of Eugene III, subjects the Roman Curia and the Roman people to pitiless criticism, and attacks the system of centralising all kinds of temporal business. Certainly he would have agreed with Paschal II over the feudal rights of the popes and bishops. In the first pages of his treatise he notes satirically that no apostle sat 'as a judge of men or a divider of boundaries or a distributor of lands—*iudex hominum aut divisor terminorum aut distributor terrarum*'. As an ascetic and mystic, on the lines of Benedict, Romuald and Bruno, he wanted a detachment from the earthly world that seethed round popes, cardinals and bishops. But, unlike those others, as an active organiser and keen fighter, standing at the side of the authorities of the Church or of the Empire, sitting among them as an abbot of his age, he sought to harmonise detachment with action, spirituality with power, humility with authority, frank and free criticism with respect for the hierarchy. According to him popes and bishops should not concern themselves with secular questions nor trespass on the domain of kings and emperors, but the latter should be subordinate to the spiritual principles of the Church. When the Emperor Lothair II met Innocent II at Liege and, to the consternation of the Roman clergy in the papal suite, asked him to restore the rights of investiture, Bernard alone stood up to him with authority and boldness, and avoided the new ambush.

The *De Consideratione* in medieval patristic culture took a place immediately after Augustine's *Civitas Dei*. A book of less breadth and brilliance than that of Augustine, it was still the voice of a great saint

and of a genius, who stood for the reform of the hierarchy and of the clergy, who anticipated the criticisms of orthodox faithful and fanatical heretics, and who in the moment of great earthly power recalled popes and prelates to the reality of their spiritual function and of the necessity of moral detachment and ascetic purification to raise them up to God. In his treatises and in his letters we do not find the wide politico-religious vistas of the canonical construction of the time, but the chief place is given to the spirit of religious reform and to the renewal of the pastoral ministry of bishops and popes. Bernard's activity, his thought, his teaching, impregnated with mysticism, would remain fruitful in the centuries to come, but in the period immediately following him, the politico-organisational stream in the Church, through the practical demands of society, was becoming ever stronger and seeking to achieve the widest possible power over the world.

CHAPTER IV

PAPACY AND EMPIRE

SECOND PERIOD (1153-1313)

§ 13.—The year of the death of St. Bernard nearly coincides with the accession to the throne of Frederick I of Swabia, known as Barbarossa. A new and more serious conflict was shortly to arise between Papacy and Empire. A first foretaste of it was the dispute with Pope Adrian IV (the English Pope) over an ambiguous phrase, which irritated Barbarossa and his legists and agitated Germany and Italy for a year. Pope Adrian IV in 1157, in recalling the favours received by the Emperor from the Papacy in regard to his election and coronation the previous year, used the word *beneficium*, which had then a double sense, and Barbarossa resented it as implying that the Empire could be considered a papal fief and the Emperor a vassal. He took the occasion of asserting his independence of a pope who did no more than give religious consecration to the Emperor-Elect, and he explicitly reaffirmed the divine origin of the imperial power. But though such questions were of considerable significance, for the moment they gave place to others more strictly political, which concerned Italy.

The Norman conquest of Southern Italy and Sicily from the Byzantines and Saracens, was a cause of much anxiety to the Popes, who in defence of their own possessions, or because of local religious interests, or in assertion of various titles of feudal sovereignty, had shown themselves now hostile, now favourable to the conquerors. Above all, they had always opposed the formation of a single kingdom embracing the whole of the South. Nevertheless, after Roger II had been invested with the entire kingdom by the anti-Pope Anacletus, Pope Innocent II, in order to avoid any prolongation of the schism, was forced to bow to circumstances and grant him recognition. The more so in that the legacy of Countess Mathilda was still a burning question between

Popes and Emperors, and other problems were arising through the communal awakening in the North and the revolts of the barons of the South. Communes and barons turned now to the Pope now to the Emperor, seeking protection and aid. Little by little the local factions under the aegis of Papacy or Empire assumed a general character and became known as Guelfs and Ghibellines. In their turn, the Macedonian Emperors of Byzance sought on several occasions to drive the Normans from their positions in the Adriatic. While the Germanic emperors thrust towards the South and Sicily, by armed force and intrigues and marriage, in order to ensure dominion over all Italy, the popes, who as temporal sovereigns now possessed the whole of Central Italy and were feudal lords of the South, Sicily, Sardinia and Corsica, and who as pontiffs politically controlled all Christendom, were constrained to take part in the game of influences and wars of which Italy was the theatre.

Such was the political background of the struggle between Frederick I and Alexander III, which would last from 1159 to 1177. Alexander was accused of complicity, before he became Pope, in the conspiracy of the Normans and the city of Milan against the Emperor. He was therefore to be deemed a felon and ineligible. A minority among the Cardinals chose another pope, Victor IV, and battle was engaged over the most delicate of questions, which was the true Pope. Barbarossa, a belated Constantine, called a General Council at Pavia to judge between the two. It was only natural that the true Pope should refuse so uncanonical a judgment; the Council was held and decided in favour of the anti-Pope. Though both Council and Frederick protested that there had been no lay interference, the Acts of the Council show plainly a political anxiety at the separation of Italy from the Empire and the dualism between Imperial Germany and Guelf Italy. This dualism persists through the whole period of the conflict, which became a schism with the various anti-popes. Gerhoh of Reichersberg, a contemporary writer, though a champion of the papal authority, took the side of the anti-popes. He attacked, as St. Bernard did, the morals of the Roman Curia, maintained the Gelasian thesis of a duality of powers, and was hostile to the whole political movement of the Normans in the South and of Milan in the North, which the popes of the time encouraged.

He approved of the calling of the Council, because he saw no other way for Alexander to clear himself of the charge of having intrigued against the Emperor by promising the Sicilians and Milanese to excommunicate him if he himself were elected Pope.

Alexander III is the true successor of Gregory VII. On the one hand, he asserted his papal right not to be judged by either Council or Emperor. On the other, he based his resistance on the people and the Communes in the name of religion and freedom. He thus struck a formidable blow at the old feudalism; an organic, communal conception replaces the purely hierarchic and feudal one. The burgesses and craftsmen become classes fighting in the name of liberty; the war is waged not by nobles and professional soldiers alone, but by the people.

The Lombard League put up a tenacious resistance to Frederick Barbarossa. Milan was razed to the ground, but Barbarossa was defeated at Legnano. In 1177 he was reconciled with the Pope at Venice. As he submitted, he pronounced the famous sentence: '*Non tibi sed Petro!*' To which the Pope replied: '*Et mihi et Petro!*' John of Salisbury, interpreting events as a theologian, enlarged on the theory of the papal supremacy. He approved the deposition of Barbarossa by Alexander III: '*Eius est auferre qui jura conferre potest*'.[1] But if John of Salisbury has a religious conception of the papal power as supreme and derived from the privilege granted to St. Peter, he, like St. Bernard and Gerhoh of Reichersberg, bitterly deplores the avarice of the clergy, the ecclesiastical wealth employed in struggles and wars, the disputes over feudal and material questions, the relaxation of discipline, the crumbling, abandoned churches.[2] But the rebuilding of the churches, with popular

[1] 'It is for him to take away rights who is able to confer them.'

[2] It was during the papacy of Alexander III that the conflict arose between Henry II of England and Thomas Becket, Archbishop of Canterbury, over the competence of ecclesiastical courts in criminal matters. Henry wished that any ecclesiastic recognised as guilty of an offence should be handed over to the royal power and condemned as a layman. He forced Thomas to subscribe to the Constitutions of Clarendon, which settled the dispute in accordance with the King's wishes. But the Archbishop was able to get the Pope to release him from his oath, as forced from him under threat of death, and fled to Vézelay for refuge. In his absence the bishops took the side of the King, whereupon the Pope sent letters depriving them; these he had consigned to Thomas who, returning to England, began to put them into execution. It was then a Norman law that no one might communicate with the Pope without the royal consent, a law

fervour, artistic ideals and generosity of offerings, was even then beginning, coinciding with the renewal of communal life and the re-assertion of ecclesiastical independence. It is the period of the Norman cathedrals, soon to be followed by the first ogival cathedrals of France and Germany and those of the Lombard-Romanesque school of Northern Italy.

Barely twenty years separate the reconciliation in Venice (1177) from the election of Innocent III in 1198. It was then that the theory of papal dominion was most precisely formulated and most fully carried into effect. After over a century of struggle, from Gregory VII onwards, the idea of the subordination of the royal or imperial power to the Pope had penetrated the consciousness of the time. The opposition of jurists or dissenting canonists was on the juridical plane of limits and facts, but did not prejudice the prevailing conception, to which kings and emperors submitted, even while they fought against it. The deposition of Henry IV and of Frederick Barbarossa were still living examples, though judgment on the facts might be favourable or unfavourable. Innocent III could without difficulty become the arbiter of the whole of the West, overcome opposition and reassert the rights of the Holy See against princes and hostile peoples. The social structure corresponded to this concept of religious unification, while already local forces were developing, kingdoms and communes gaining in cohesion, the burgess class organising, and the populace in ferment.

Innocent III defined the character and limits of the papal power in unequivocal terms[1]—The papal power over temporal things is great and

that the Church had always refused to recognise. Henry II, who was in France, was enraged at the papal intervention. And four knights, believing they were serving the King, left the court, went to Canterbury, and ordered the Archbishop to absolve the bishops and to restore them to their sees. When Thomas refused they killed him. The people were on the side of the Archbishop, and Henry II, to avoid a conflict with the Pope, gave way over the Constitutions of Clarendon and promised to restore the property he had confiscated from Canterbury—he submitted to the penance of the scourge, laid on his naked shoulders by seventy monks.

[1](i) 'Romanus Pontifex . . . non solum in spiritualibus habet summam, verum etiam in temporalibus magnam ab ipso Domino potestatem.' (Ep. VIII.)

(ii) 'Non solum in Ecclesiae patrimonio, super quo plenam in temporalibus, gerimus potestatem, verum etiam in aliis regionibus, temporalem potestatem casualiter exercemus.' (Ep. V.)

was given by the Lord, (St. Peter's privilege). It is complete over the Patrimony, and over other countries is to be exercised as occasion arises. The basis of this power is not feudal (save in the cases of special privilege or custom), but moral and religious: *ratione peccati*. The Empire, in its origin and its *raison d'être*, derives from the Papacy. Such are the main lines of the thought of Innocent III.

In modern times an attempt has been made to find in the famous sentence, '*Non intendimus iudicare de feudo . . . sed decernere de peccato*',[1] the theory known as that of 'indirect power', that is, that the Church possesses power *in temporalibus* only indirectly and as necessary consequence of her moral judgment. But neither the thought nor the practice of Innocent III bears out this theory. The Innocentian conception is the logical outcome of that of Gregory VII and other predecessors, who always claimed a wide and decisive power over Christendom, as unifying the social structure in a religious centre which, inasmuch as religious, was also political. This power does not suppress but integrates that of the Emperor. The duality does not disappear but acquires distinct characteristics. The diarchy is international, but unified by the religious spirit, and by the dependence, organic and finalistic, of the Empire on the Papacy.[2]

(iii) 'Non enim intendimus iudicare de feudo, cuius ad ipsum (regem) spectat iudicium, nisi forte iuri communi per speciale privilegium vel contrariam consuetudinem aliquid sit detractum, sed decernere de peccato, cuius ad nos pertinet sine dubitatione censura, quam in quemlibet exercere possumus et debemus.' (Ep. VII.)

(iv) The Empire depends on the Papacy 'principaliter et finaliter.' (Reg. super Neg., R., Imp. 29.)

[1] 'We do not intend to judge of feudal matters, but to sift out sin.'

[2] To the pontificate of Innocent III (1198–1216) belongs not only the crusade against Raymond of Toulouse and the Albigensians but that against King John of England, which ended in his submission. John claimed that since the Archbishop of Canterbury was nearly always Chancellor of the Realm, he should be appointed by the King. The monks of Canterbury wished to elect him, as their head; so too the Bishops of England, as their primate. All three appealed to the Pope, who himself made the choice, excellent in every respect, of Stephen Langton. As an answer, John confiscated the property of the Archbishopric. Innocent III laid an interdict on the kingdom, and since John would not give way, excommunicated him and finally authorised Philip Augustus of France to lead a crusade against him. John was forced to surrender his crown to the Pope's Legate (to receive it back as a vassal of the Holy See), and to accept the new archbishop the Pope had appointed.

It is to this episodal conflict that England owes *Magna Carta* and the beginning of

§ 14.—In the conception and activities of Innocent, in spite of the experiences of Gregory VII and Alexander III, the people have no place. They had acquired a consciousness of their own in the Communes, as an *élite* in process of selection, an organism in process of formation, but the masses were still amorphous, uncertain, suffering from the economic and legal conditions in which they were placed by feudalism, and aspiring to a liberation which, given the mental habits of the time, was conceived in religious terms. In this atmosphere there was a widespread flowering of such movements as the orders of friars on the one hand, culminating in Franciscanism, and on the other the heretical sects, secret or public.

The reappearance of heresies in the XI century, when the old heresies could be said to be extinct and the Latin world had been able to hold its own against the subtle and restless thought of the Greeks, was not due to theological controversies or currents in the schools, but sprang from mystical and social factors among the people.

The Cathars of Northern Italy, who in Provence and Languedoc were known as Albigensians, present themselves as anti-social secret sects infected with a combination of Manicheanism and Gnosticism. The tenuous veins of such infiltrations go back to the IV and V centuries; but in the XI century social factors giving a new impetus and wide development to the old theories were ripened by events. The struggle of Peter Damiani and Hildebrand against the married and simoniac clergy was extremely popular for various reasons. Such clergy were often rich and powerful, they took the tithes (always hateful to the people) and other dues for maintaining numerous families and a re-

her liberties, and France the beginning of the unification of the realm under the Capets. John thought to revenge himself on Philip Augustus and entered into coalition with Otto of Brunswick and the Count of Flanders, but his barons refused to follow him because he had not yet been absolved from excommunication. In spite of this he pursued his campaign and was defeated in 1214 at Bouvines. It was this defeat that enabled the King of France to regain a large portion of the lands possessed by England (except Gascony and the port of Bordeaux), and the English barons to oblige John to sign the Great Charter in 1215—a thing he would never have done had he returned victorious from France. John appealed to Innocent III to release him from his oath so that he could withdraw his signature. The Pope was indignant at the armed revolt and laid an interdict on London, but Archbishop Langton took the part of the burgesses and did not observe the interdict!

tinue of servants and men-at-arms, according to feudal requirements. Such clergy, in the period of the Investiture Conflicts, were often excommunicated; they were centres of party strife; the reformers, priests and laymen, instigated the people not to receive the sacraments from simoniac and concubinary bishops or priests. Popular agitation in this delicate matter often led to unheard of excesses and sacrileges. On the other hand, it was debated whether the sacraments could be validly administered by excommunicated clergy, or even those who were simoniac, or reputed as such. Naturally there were no bounds to the discussions and popular agitation that ensued. Doubt was cast on the spiritual value of liturgical worship, on the Sacraments themselves, on purgatory, on the hierarchic order of the Church. And since the abuses came from the wealth of the clergy, the reformers preached against their avarice and in favour of Christian poverty. The attack on ecclesiastical riches was general. With the poorer people were united the lower clergy, often wretched, treated as serfs by the lay or clerical patrons of churches and chapels. Reform was preached in the market-places and streets; even women joined the throngs preaching the reform of the Church. It was not hard for even orthodox reformers to touch the borders of heresy. The Patarines of Northern Italy, who were originally anti-simoniac, came to mingle with the Cathars and other heretics of manichean tendencies. In France towards the end of the XI century and the beginning of the XII, Peter of Bruys and Henry of Toulouse stirred up Dauphiné and Languedoc, while in Champagne and Flanders there were Eon de l'Etoile and the Apostolicals.

The leaven was everywhere working, and was chiefly anti-social, that is, contrary to the social structure seen under a religious aspect. The economico-political order of the time was repudiated by anti-Catholic and anti-dogmatic arguments. At bottom, there was a repudiation of the Church as a hierarchic and social order and of her sacramental institutions, because of her predominant share in wealth and in political and worldly life. This anti-social reaction easily combined with the instinct of secret societies, and manichean negations of the family and the very propagation of the species, through the pessimistic sense born of the dualistic conception of good and evil as of two absolute entities in perpetual conflict.

For over a century and a half—from the Council of Orleans of 1022 to the Council of Verona of 1184—the struggle against heresy was conducted case by case by the application of local penal laws, disqualification from public office, confiscation of goods, banishment and, occasionally, the stake, which had been introduced by German legislation as the punishment for coining and necromancy. Lucius III, concerned at the spread of heresy, determined, in agreement with the Council of Verona, to send episcopal inquirers—*inquisitores*—to take cognizance of the situation and suggest the most suitable remedies. It was thus that the name of Inquisition arose. The same pope agreed with Frederick Barbarossa on measures to arrest the spread of heresy. The religious interests of the Pope and the political interests of the Emperor coincided; in the struggle against heresy nearly always the kings and emperors showed themselves more zealous and more relentless than the bishops and popes. Frederick II would accuse Gregory IX of protecting heresy because he protected the Communes of Northern Italy, where Cathars and Patarines were numerous and influential. The clergy of France and Germany, likewise, looked with suspicion and disapproval on the support given by the popes to the Italian Communes; for some time these had been the most active centres from which the heretical and reforming currents had spread, invading France, Catalonia, Aragon, Flanders, the Rhineland, Bavaria and Switzerland.

Under Innocent III the struggle against heresy was intensified, especially in Languedoc, whither in 1206 he sent Cistercians in the quality of papal legates to act as inquisitors. This the bishops resented as lessening their authority, and the Count of Toulouse, Raymond VI, adopted so ambiguous an attitude as himself to fall under suspicion of heresy; he was finally excommunicated by the papal legate Pierre de Castelnau. Shortly after, the legate was murdered. It was then that Innocent III proclaimed a war against the Count of Toulouse, and since the King of France had refused to intervene, and, on the other hand, it was necessary to induce lords and followers to take up arms, for the first time the system of a crusade, which up till then had been preached only against the infidels and for the liberation of the Holy Land, was applied to a Christian country. A crusade implied that the war was not only

just, according to the theories of the time, but of a sacred character, for a religious end, proclaimed by the Pope and rewarded by spiritual concessions to the crusaders, over and above the temporal advantages they might win by its favourable outcome.

In this particular case, the Albigensian Crusade, led by Simon de Montfort and fought with considerable ferocity, was directed not only against the Count of Toulouse but against the population of heretics or sympathisers with heresy. These were either killed or banished or dispersed, while the dispute that ensued with the Count of Toulouse and the King of France, over the ownership of the captured towns and occupied fiefs, was settled (to the advantage of the King of France) by the Treaty of Paris of 1229.

Historical judgment on the Albigensian War has been rightly severe. Other crusades against heretics or enemies of the Papacy would be proclaimed, among the most notable that of Boniface VIII against the Colonna and those of Martin V against the Hussites of Bohemia. The essential principle of a crusade (against heretics or infidels) as a war justified in itself has been frequently called in question, and there are theologians whose answer is definitely in the negative. For our purposes it is sufficient to ascertain how it was that this new form of crusade could arise, and what were its sociological and historical effects.

In the logic of the thought of the time it was easy to transfer the juridical criteria of a religious dispute with kings and emperors to a religious dispute with a city or people. The popes used spiritual weapons against kings and emperors, but they had to defend themselves on the plane of force, on which the feudal structure of society obliged them to fight. In the consciousness of the time both heretical kings and emperors and heretical countries were beyond the pale of Christian society, in the same way as infidels or Saracens. A crusade against the disturbers of Christian order was on the same plane as a crusade against the infidels. The Count of Toulouse was an heretical or semi-heretical prince, his lands were infected with heresy, he was reputed a miscreant and a felon, and since he could not be punished by normal means, war was declared on him. The novelty was not the war in itself; in the past there had been politico-religious wars, but what was new was to apply the system of a crusade to a Christian country, for

the purpose of striking down heretics and rendering them powerless. The religious motive and the lack of a direct territorial interest, which only the King of France could claim, were the determining factors.

The heretical currents continued to stir the urban and rural populace throughout Europe. It was Gregory IX who finally transformed the Inquisition from an episcopal into a pontifical institution, organised it in a permanent form, and entrusted it to the Dominicans. Thus all inquisitorial matters were withdrawn from the competence of the bishops and secular courts.

Heresies and erroneous tendencies among the people had another character and bearing from those that came from the professed theologians and the Schools. Yet there was a kind of intrinsic convergence, an unconscious logical nexus that made them akin. Berengarius's error on the Eucharist (1050) and that attributed to Abelard on the Trinity (1121) were certainly far removed from the heresies of the Cathars, but the eucharistic question involved the position of the priesthood as a distinct order of society and that of the Trinity the problems of divine revelation and human reason, of good and evil.

The mystical, apocalyptic movement, which Joachim de Flora (d. 1202) aroused in the second half of the XII century, was not simply a religious dream on the part of the Calabrian Abbot, but a sign of the disquiet of the Christian spirit in an age in which the higher clergy and even the old monasticism were drawn into worldly and secular life by wealth, power, strife, contests and wars. The power of the Church was juridically strong, but from the Christian standpoint it was weak. The papal authority had reached its highest peak in an earthly sense, but this very fact involved heavy counterweights. St. Peter Damiani's harsh reproaches to the avaricious and loose-living clergy, the warnings and lamentations of St. Bernard, summoning bishops and popes to simplicity of life and spiritual detachment, had not sufficed to provoke a reform. The renunciation of feudal power advocated by Pasqual II had come to nothing through the obstacles placed in its way by the clergy themselves, allied with the emperors and kings. The concentration of earthly powers and medieval pomp in the Papacy did nothing to awaken feelings of poverty and detachment in the popular imagination, even though there had been Popes

of virtue and sanctity, such as Leo IX, Gregory VII, Victor III, Urban II, Eugene III, and later St. Peter-Celestine. Abbot Joachim de Flora, by an apocalyptic interpretation of Revelation, came forward as the herald and prophet of the *Third Kingdom*, that of the Holy Spirit, in which the Church would have no more wealth and material goods, nor political or coercive powers, but would be spiritualised, in pure poverty, detached from earthly things, in manifestation of the Spirit of Truth. This Third Kingdom of the Holy Spirit was to begin at once, and would be differentiated from the Second Kingdom, of the Son (Christianity of Grace), as this was differentiated from the First Kingdom, of the Father (the Judaism of the Law). The influence of Joachim was extraordinary, in spite of an intricate and over-elaborate symbolism and an apocalyptic vision of history remote from reality, and although the prophesied opening of the Third Kingdom would appear neither on the date fixed for it, nor as an immediate future. Actually, Joachim's conception through his messianic expectancy nourished and sustained the spiritual need of an age in quest of detachment, poverty and abnegation.

It was thus that early Franciscanism arose like a living flower, which cannot but be linked to the potent influence of Abbot Joachim. Together with Franciscanism, other forms of popular associations came into being, based on detachment from the world, but soon to be coloured by another influence, that of the heretical currents or sects and of the anti-social movements seething all over Europe. The spirit of poverty combined with a denunciation of the use of earthly goods; it became a communistic spirit, awakening among the poorer masses, and which by an easy transition became a negation of priesthood and all religious authority. Franciscanism itself had two branches. The chief was the orthodox branch, which while keeping its own personality and popular character, gradually tended to conform to the organisational, intellectualist, ascetic and practical character of the other orders which had arisen or been regularised during the same period, like the Trinitarians, Dominicans, Augustinian Canons Regular, Carmelites, Mercedarians and Servites. The other branch, that of the *Fraticelli*, gradually severed itself from the first, in order to maintain the purity of the Franciscan tradition, but little by little it was tending to become

assimilated to the heretical, protestatary, anti-social currents among the people, which adopted various names such as the Hallelujah Brothers, Flagellants, Brothers of Sion, Joachimites, and many others, promoting public penances, preaching reform, and working on the feelings of the masses. Sincere men in good faith and turbulent rogues were confounded in this heated mystical atmosphere, the explosion of which taxed the resources of ecclesiastical discipline and penal rigour.

The anti-social spirit and propaganda against the ecclesiastical structure, together with the ready affirmation of principles held to be heretical, alarmed the established powers, whether popes, emperors, kings, feudal lords or governments of cities. All were agreed upon repression. The Inquisition, unified in the hands of the Pope, had gained considerable power and influence. In this agitated setting, the example of the crusade against the Albigensians weighed heavy. The Bishops had adapted themselves to the régime of the Inquisition. It was a case, in the opinion of the ruling class, of saving society from the peril of the insurgent masses. The words *Fraticelli*, *Hallelujah Brothers*, *Apostolicals* sounded then as Communism and Bolshevism sound to modern ears. But a century more would be required before that mass movement, which left behind it notable traces and active ferments, could be suppressed in the name of orthodoxy and social order.

§ 15.—After the reconciliation of Barbarossa and Alexander III at Venice, there had been no further motives for great disputes between Papacy and Empire. Nevertheless, in view of the ever-increasing economic and political progress of the Communes of Northern and Central Italy, and the power of the Normans in the South and Sicily, the Papacy had to concentrate its energies on maintaining a constant balance of forces of which Rome was the hub. The marriage of Henry VI with Constance of Sicily, sister of William I and heiress presumptive to William II, changed the position. The popes feared an encirclement by the Hohenstaufens, and the struggle that ensued became, willy-nilly, more through force of circumstances than fault of men, a war to the death, ending only with the extinction of the race and the passing of Sicily to a Valois king.

Innocent III defended the right of Constance's son Frederick II, who

was his ward, to the kingdom of Sicily. But when Frederick was elected King of the Germans and Emperor, in 1212, Innocent ensured that the kingdom of Sicily, under a regent appointed by himself, should pass to Frederick's son Henry. Henry later became also Duke of Swabia (1217), Regent of Burgundy (1219) and King of the Romans (1220). But Frederick, with his extraordinary activity, the fascination he exercised on court and people, and his unbridled ambition, was to overthrow the papal plans and disturb the whole of Europe for thirty years.

Pope Honorius III, cautious and temporising in policy, did his utmost to avert long and irremediable conflicts, even while he resisted Frederick's demands. On the other hand, he could not but encourage the formation of a second Lombard League against the Emperor. This was a necessity of papal policy, corresponding to the communal spirit of the time. Gregory IX, who succeeded him, a sturdy old man who, as pontifical legate, had co-operated in the formation of the League (1226), was not made for a waiting policy and, on the contrary, himself precipitated events. Frederick was excommunicated in 1227 for his failure to leave for the Crusade and to furnish the troops he had promised, for his spoliation of the Templars and of the Crusader Roger, who was under papal protection, and for other misdeeds enumerated in the Bull. The reasons for excommunication were evident and adequate, but it cannot be denied that, in excommunicating him, Gregory weakened Frederick's position in regard to the Communes of Northern Italy and in the South and Sicily.

In 1230 Frederick was reconciled with Gregory, but the situation remained unaltered. Frederick's constant dream was to unify the Germanic Empire and to form a real Italian Kingdom. He was forced first of all to face the rebellion of his son Henry, then, returning to Italy, he mustered his forces against the leagued Communes. After three campaigns in Northern Italy, when his fortune was at its height, Gregory excommunicated him afresh, for a whole list of particular causes, among them his behaviour in the Holy Land, his heretical reputation, and also the occupation of territories of the Holy See in Sardinia and the district of Ferrara. No mention was made of the situation of the Communes of Northern Italy, but to the aged Gregory this was a

matter of deep concern. This time Frederick had his revenge. Continuing his successful campaign in Italy, he occupied cities and provinces, winning victory on land and sea and taking prisoner prelates and Cardinals. Gregory had sought in vain for help in France and elsewhere; he had hoped in vain to be able to call a crusade against Frederick, with the support of the Hungarians. St. Louis of France, while he caused the Bull excommunicating Frederick to be promulgated throughout his territories, refused to join in the war, and forbade the collection of money for the assistance of the Pope. When Frederick, who had gone from victory to victory, was on the point of laying siege to Rome (1241), Gregory died with all the appearance of defeat.

After a vacancy of nearly two years, Innocent IV was elected. He too was one of the mighty Popes of the Middle Ages, and fully equal to facing a Frederick II. The latter was ready for peace with the new Pope, but not for submission to him. The temporary peace signed in 1244 was short lived. It was hoped that order and peace would be restored by the Council of Lyons; instead, from that Council came the final decision to depose Frederick. The last five years of his life were a savage and desperate struggle. He was believed and called Antichrist. Even his own subjects rebelled against him. His defeat was total, and the ascendancy of the Guelfs in Italy became practically general.

Frederick died in 1250, but the struggle against the Hohenstaufen house continued. Manfred was slain at Benevento in 1266, Corradino executed at Naples in 1268; Enzo, after long imprisonment, died at Bologna in 1272. Over a century of warfare between the popes and the House of Swabia—from the treaty of Benevento, between Adrian IV and the Normans in 1156, which brought the first clash with Barbarossa, to the battle of Tagliacozzo in 1268—represents the effort of the Papacy to defend itself against imperial encirclement, to safeguard the Patrimony and its feudal rights over Southern Italy and the Islands, and to affirm its predominance over the Empire. The struggle of the Guelf Communes against the Empire, and the defence of their liberties, the popular basis of this policy and the growth of the Italian burgess class, entered directly or indirectly into the orbit of papal policy.

This policy could not fail to be mainly religious or directed towards religious ends. Yet in the fight waged by Gregory VII the reform of

the Church and the question of her spiritual freedom had prevailed over other less general or immediately political aims. Little by little, as the Papacy came to lean on the material support of alliances, leagues and wars, and disposed readily of royal thrones and imperial crowns, political factors became confused with religious factors, and sometimes overshadowed them. The popes, obliged to run the risk entailed by alliances and the use of armed forces, had often to anticipate it or face it on a plane that tended to adhere more and more closely to that of politics; by then the politics of nearly all Europe had become papal politics.

Frederick II, oscillating between the role of God-Emperor, in the oriental and pagan fashion, and that of a devoted son and protector of the Church, introduced not a few elements of a secularisation of power, law and State. While his coronation in Jerusalem, excommunicated as he was, assumes the significance of an oriental rite for the divinisation of his power, his insistence on the autonomy of royal power, deriving direct from God without priestly intermediary or limitations by the Church, bears the stamp of the theory of absolute power by Divine Right. On the other hand, in his *Liber augustalis*, in which we may note an idea antagonistic to the *Collection of Canons and Decretals*, he seeks to put forward a civil and political code based on *Law*, *Nature* and *Reason*. Gregory IX reproached Archbishop Giacomo of Capua for his share in Frederick's collection of laws, saying that these did not 'co-operate in salvation but call down evils upon many'. Frederick's struggle against the supremacy of the popes was that of a disorderly genius, who passed down to posterity as a heretic, a renegade, an Antichrist, but his theories and his legal experiments were garnered by the already flourishing universities, in spite of the fact that he ended his life as a beaten man and the Guelfs emerged victorious from the struggle.

It is the period when the juridical formulation of papal power reaches its widest extension. Innocent III, as we have seen, had defined the distinction between the *ratio feudi* and the *ratio peccati*, between papal intervention in politics *casualiter*, and by *plena potestate*. Gregory IX holds to the formula of his great predecessor, but he insists also on the Donation of Constantine and the transfer, effectuated by the Pope, of

universal empire from the Greeks to the Romans, It is, however, Innocent IV, who gave the papal power its widest interpretation, juridical and theological, such as was never known before or after.

He is a jurist and does not forget it. In his *Apparatus ad Quinque libros Decretalium* he recalls that the Emperor's power is derived from the Roman people, through the *Lex regalis*, which Justinian reiterated in his Codex. But this historico-legal origin of the transmission of power from people to emperor does not contradict his own theologico-metaphysical theory, which is founded on the idea, of which there are traces in the Fathers, that coercive power, like private property, is a result of Original Sin, and therefore in itself, in the material sense, something illegitimate and an abuse, which can never be free from hatred, violence and misdeeds. Gregory VII and his successors had frequently insisted on this concomitance of power with injustice, murders, wars and tyrannies, which accompany its historical origin and its practical development, in order to proclaim the power of the Church, not only as moral teacher but as having the right and duty of intervening to correct kings and princes and to deprive them of power should they prove incorrigible and harmful to the community. In the XI and still more in the XIII century power and the Empire could not be conceived as extraneous to the Church (given the evolution of Christian thought from the IX century onwards, for which kingdoms and Christian empires were within the Church and part of the Church). It would have been foreign to the spirit of the age to carry such a theory to the pessimistic conclusion, which might have led to an irremediable dualism (of which there are hints in the Fathers), that the civil power was caused by Original Sin and closely connected with crime in its formation and exercise. The dualism of power from Gregory VII onwards resolves itself into the power of St. Peter.

Hence the distinction, which Innocent IV clearly establishes, between the original power deriving from sin, illegitimate, an abuse rather than authority, and legitimate power, deriving from God, to be wielded in the Christian world for the common good and under religious control. This power is to be found *naturaliter et potentialiter* in the Church, not as a gift from the emperors, not through any Constantinian concession, but of itself, from the day the Church was

founded. The popes represent this true power, 'as legates of God on earth', '*Generali legatione in terra fungimur Regis regum*'. Thus the letter to Frederick II in 1245, in which Innocent IV symbolically expounds the Donation of Constantine.

In the paganism from which Constantine came there was but one earthly power, which, unlegitimised and unennobled by Christianity, was permitted by God only as a consequence of sin. When Constantine became a Christian, he resigned his earthly power to the Church, to receive it back from the Church renewed by Christianity, that is, as legitimate power, recognised as such because recognised as coming from God. In Constantine in his quality of Emperor all human power is symbolised; through the Church the Empire became Christendom. The secular power might be acquired through a variety of human forms, succession, election, nomination, popular choice, but its legitimation came through the intervention and consecration of the Church. Power proceeds from no one but God, but it is through the Church that its divine origin is proved, rendering it theologically lawful. That is why the Pope, as legate of God, has a general authority over the earth.

By this process ecclesiastical mediation is carried to its fullest expression by Innocent IV. The metaphysical conception of power in a natural society is transformed into a theological one in a Christian society, hence in the authority of the Church all human power is unified. And since Christianity had to be preached to the whole world, the Church, in virtue of her religious mission, *naturaliter et potentialiter* has authority over the whole world, as she had over the Roman Empire even before Constantine turned Christian. From this sprang the right, recognised in those days and maintained by Innocent himself, to make war on infidels, occupy their territories, and dethrone their kings if this were necessary either for the moral and religious good of their Christian subjects or for the preaching of the Gospel. This extension of the power of the popes led to the opinion of the legists that the Emperor too had a potential authority over the whole world and could therefore make war on the infidel, a right Innocent IV and other canonists explicitly denied. This thesis would be revived after the discovery of the New World and be debated in a new light

from the legal and theological standpoint. The Brief of Alexander VI which, dividing the regions of America between Spain and Portugal, recognising the occupation and authorising its expansion, is based on the Innocentian theory, which had remained part of the canonical traditions of the Church.

Innocent's conception attenuates but does not alter the diarchy Papacy-Empire, or *Sacerdotium-Regnum*. The new element is the priestly mediation, which subordinated civil power not only spiritually but also politically to the Church. The diarchy persists, for civil power, where its exercise is concerned, resides wholly in the Emperor or King, save in cases of papal intervention. Papal intervention, in actual fact, did not overstep the limits already defined by Innocent III, of an intervention *casualiter*, whenever it might be required, not *ratione feudi* but *ratione peccati*—to-day we should say for moral and religious reasons—apart from intervention of a more strictly political nature, resulting from privileges, customs, special rights or full sovereignty; the last was the case in St. Peter's Patrimony.

While canonists and legists disputed over the juridical formulas of their theories of power, the scholastic philosopher-theologians seem to us to have stood spiritually aloof from the impassioned debate; maybe it appeared to them mainly a controversial and legal issue. In general they confined themselves to reflecting the traditional theories of the Church on a metaphysical, moral, or dogmatic plane. In the contemporary theologians, the greatest of all being St. Thomas Aquinas and St. Bonaventura of Bagnorea, we find no echo of the Innocentian theory of the Donation of Constantine, which belongs to the period of their youth.

The schoolmen of the time, with a few exceptions, follow rather the lines of Gelasius I and Peter Damiani, or else they repeat the famous passage from Bernard of Clairvaux, as does St. Bonaventura;[1] it is repeated also by St. Thomas[2]: '*Habet spiritualem (gladium) tantum quantum ad executionem; sed habet etiam temporalem quantum ad eius jussionem*'.

For the church to have a temporal power of which the executor

[1]IV. Sententiarum, objection IV.

[2]Also in a Commentary on the Sentences (IV): 'She has the spiritual sword even for execution, and she has also the temporal sword, but only as under her order'.

was the prince (as was then generally admitted) did not at all imply the theory of priestly mediation if the secular power was to become legitimate from the Christian standpoint. St. Thomas, without discriminating between the time before Christianity and the time since, admits that the secular power comes straight from God, just as from God comes, though with diverse character and diverse derivation, the spiritual power of the Church. He has no mention of the mediation of the Pope, either as a means of transmission of power or as legitimising it, but only as consecration. According to St. Thomas, the secular power is subject to the spiritual only in what concerns the salvation of souls. Hence he asserts that in what concerns the civil weal the secular authorities should be obeyed before the spiritual ones. He mentions only one exception: when the two authorities are united, as in the Pope. In making this exception St. Thomas was perhaps alluding not only to the Pope but to the many Prince Bishops who had sovereignty over cities or territories, as the Pope had over the Patrimony. But he attributed to the Pope alone the right to depose sovereigns by penal sentence in the case of an excommunication 'for heresy or for other causes, as has actually happened'. This is St. Thomas's sole reference to the historical events of his time; we believe that it is as a concession to the canonists that he extends the right of deposing sovereigns, traditionally admitted by the Church for motives of heresy, to include 'other causes', which he does not specify. St. Thomas explains that the Pope's punitive power in the case of heresy in a sovereign is not political but religious, since, he says, '*convenienter in hoc puniuntur quod subditis fidelibus dominari non possint*'[1].

§ 16.—From the deposition of Frederick II, the imperial power begins to wane. There is a vacancy for twenty years, which shows the general turmoil, disorder and clash of interests, and also the diminished exigency of such an office. Finally Rudolph of Hapsburg is elected Emperor. After prolonged controversy, and almost against his will, Gregory X recognised Rudolph as King of the Romans and promised to nominate him as Emperor (1277). His successor, Innocent V, de-

[1] 'It is fitting that they should be punished in that they may not hold dominion over faithful subjects.'

layed still further; finally John XXI nominated Rudolph after the latter had declared that he would *submit his will to the Pope*. It was Rudolph who issued the famous Privilege of 1279, in which, while admitting the distinction between the two powers, he recognises that the Romano-Germanic Empire owed its historical origin and its authority to the Church, who granted the German princes the right of election and the Emperor the supreme rulership of the world. Rudolph accepted the Innocentian idea that his authority came through the mediation of the Church, to which it was subordinate as the moon to the sun.

Events and juridical affirmations favoured the complete authority of the popes, but the scholastic theories and those of the legists, circulating in schools, courts, monasteries and populace, undermined its foundations. Thus, when a fresh and resounding conflict arose between the *Sacerdotium* and the *Regnum*—this time no longer with the Emperor, but with a powerful and obstinate king—the positions established by Innocent IV half a century earlier no longer found the same response in the new environment that had come into being.

Boniface VIII was of the stamp of the pontiffs in direct descent from Gregory VII. His conception of the papal power is theological and legal, with complete fusion of spirit and form. The Bull *Unam Sanctam* remains the clearest and soundest document of his mentality, and the historical conclusion of the struggle between *Sacerdotium* and *Regnum*.

But times had changed since the days of Gregory VII, Alexander III, Innocent III, or Innocent IV. The imperial power, which had not succeeded in unifying Europe politically, was already on the wane. Italy had become autonomous; to Italy, Pope and Emperor meant factional rallying-cries or symbols of local interests. The Communes were falling into the hands of nobles and tyrants. National spirit was growing up where kingdoms were becoming consolidated, and the interests of the nascent burgess class demanded strong central authorities to cope with popular turbulence. The universities had grown in number, importance and autonomy, and the intellectual class counted already as a Third Estate.

More than any other European country, France for the past century

had consolidated her structure and made herself mistress of the other parts of the Kingdom and the vassal countries. The Crusades, the struggles against the English and even those against the Albigensians had given her a distinct personality. The influence of ecclesiastical France, with the University of Paris and the Cluniac, Victorine and Bernardine traditions, was potent throughout Europe. The conflict with Boniface VIII, and her subsequent control of the Papacy when it was driven to Avignon, made France the first nation in Europe.

Although Boniface VIII, like Innocent III, distinguishes between the *ratio feudi* and the *ratio peccati*, he too makes the papal authority cover the whole political activity of the time. He orders the King of France to make a truce with his enemies; he protests to the German princes against the deposition of Adolf of Nassau and the election of Albert of Austria as King of the Romans; he sends Charles of Valois to Florence; he resists the Sicilians, who, having driven out the French, would have Frederick of Aragon as their king; he protects the rights of the infant Carobert to the throne of Hungary, and so forth. Throughout his pontificate he vigorously upheld the tradition of a politico-religious unification of Europe in the papal power.

He met with resistance nearly everywhere, in the realm of theory and the realm of action, from kings, princes, and bishops, in the same way, indeed, as nearly all the great popes of the three preceding centuries, and certainly to no greater degree. But whereas popes like Gregory VII and Alexander III could count on support and help from people, communes and princes, Boniface VIII found no effective support outside the ecclesiastical organism, the Roman Curia and the canonists. He had not with him even the new burgess and intellectual forces, which had grown up as a third element, driving a wedge between the ecclesiastical and military powers of feudalism.

The people were in majority opposed to Boniface VIII. They were at that time swept by the currents of the Fraticelli, in whom were united three tendencies capable of moving the emotions of the populace—the spiritual apocalypticism of Joachim de Flora, the poverty of St. Francis, and the anti-social and anti-ecclesiastical theories of the heretical sects. Pietro di Morone, who became Pope as Celestine V, was one of the most fervent champions of poverty and spiritual

asceticism, and his followers outstripped him, to the point of fanaticism. All these currents were hostile to Boniface VIII, guilty of supplanting Celestine, and accusations against him were the more constant the more rigorous his conduct towards those who wished to profit by the simplicity of the deposed Pope to make him a pretext for warfare. Boniface ended by imprisoning the ex-Pope, for fear lest his fanatical supporters, allied with Charles of Naples, should promote a schism. When Celestine died, from a tumour in his right side, his devout followers decided that his head had been pierced by a nail on Boniface's orders.

Boniface dealt harshly with the Fraticelli, who were excellent men, though perhaps unbalanced, like Blessed Jacopone da Todi, and who were persecuted together with others who were genuinely heretical, or evil-livers and instigators of disorder. The poorer people, whether from admiration for men who lived in perfect poverty, or incited by their preaching against the wealth and power of the clergy—which could create an unconscious hope of a more equitable distribution of goods—for the most part supported the Fraticelli and imitated their exalted frame of mind. In a period which had seen the revival of an ampler urban and personal life, tending therefore to break through the hundred-and-one economico-social bonds of feudalism, the problem of property had become actual and urgent.

The dispute over ecclesiastical immunities, in France and elsewhere, as a result of the Bull *Clericis Laicos* of 1296, found public opinion highly unfavourable to the Papacy. Not that the ancient right to fiscal immunity was denied, but because the weight of taxation in the more unified and belligerent countries like France, England, Aragon and Bavaria had become overwhelming. The laity did not want to bear the burden alone, and saw with resentment how ecclesiastics evaded it through papal protection when without this they would often have been unable to resist the kings' demands. Nor did the kings look favourably on a lofty control that made it difficult for them to help themselves to the revenues and properties of the churches, which would have been far easier than helping themselves to the revenues of laymen. Philip the Fair, against whom, though without naming him, the Bull *Clericis Laicos* was directed, riposted at once by forbidding the export

of moneys out of France (*i.e.* to the Pope). Edward I of England, too, felt himself injured, through the refusal of the clergy to pay the war taxes; he at once sequestrated their revenues and seized the wool of the wool-producing monasteries.

Between those who preached evangelical poverty, criticising clergy and bishops, and those who despoiled them in the name of royal rights and fiscal equity, the attack on church property became at once a popular emotion and a court matter. And this attack went far further, for it struck at the very authority of the Church, who found in feudal property the basis of many rights, and in political and religious power the moral justification of such property-holdings.

In the controversy between Philip the Fair and Boniface VIII we find proclaimed for the first time that the Pope, in claiming universal authority, meant to assert a kind of universal property-right, and that, on the other hand, the King of France claimed the right of levying dues on ecclesiastical possessions inasmuch as the whole kingdom was his property. There is here a mixture of the idea of the paramount feudal property-right of the medieval sovereign and that of the patrimonial or dynastic State which peeps out, in contradiction to the idea of the political Community, which is the juridical principle of the Middle Ages. If we correlate the conception of the patrimonial State of Philip the Fair (a notorious debaser of the coinage), with that of the secular State of Frederick II and that of the divine right of the royal power, so emphatically asserted by Frederick Barbarossa, we find the elements that will develop in the modern State from the beginnings of the Renaissance onwards.

Boniface certainly did not pretend to universal ownership in a real and effective sense. He considered his power to spring from the source of all pontifical rights, the keys of the Kingdom of Heaven given to St. Peter and the Two Swords he retained. But the subjection of the whole world to the Papacy implied for him, as a kind of paramount or dispositive right, the right of the Church, not only over men but over human possessions, kingdoms and wealth, through the general subordination of all temporal things to the higher order of the spirit. Therefore he believed it his duty to resist the kings who violated the immunity-rights of Church property, and to strike down the fanatics,

good or bad, who wilfully or otherwise instigated the people against the right of churches and clerics to possess property.

On the other hand, both regalists and spirituals and all Boniface's personal enemies of every kind vigorously attacked, in the person of the pontiff, the sovereign power he had proclaimed over the whole world, declaring it a distortion of the Gospels and a usurpation of the rights of others. No one denied the Pope's spiritual power, but in the asperity of debates and the frenzy of the struggle no one was capable of defining the exact boundary between the spiritual and secular powers; each side overpassed the limits, to the detriment of the other. The champions of Philip the Fair, starting with respect for the Pope's spiritual power, ended by asserting instead the King's rights over even the spiritual domain. Cardinal Matteo d'Acquasparta, Boniface's Legate, on the contrary, affirmed that the Pope could judge every temporal question *ratione peccati*, and that temporal jurisdiction belonged to the Pope *de iure* and to the King only *quantum ad executionem actus*.[1] In any case, a short time before, the celebrated Ostiensis (Cardinal Henry of Susa) had written: '*Unum caput est tantum, scilicet Papa, unus debet tantum esse caput nostrum, dominus spiritualium et temporalium.*'[2]

Both sides were equally powerless to determine any theoretical or practical limits, and, driven by the urge towards unification, they came by diverse paths to the idea of a universal Council, superior to pope, emperor or kings. The Pope could not be said to unify what was already divided for and against him, nor the Emperor, who no longer stood for a directing authority over all Christendom, nor the several kings, who could aspire to be the expression of unity only in their own kingdoms. The idea of a Council above the Pope, able to judge the Pope, a supreme politico-religious assembly of Christendom, which had been mooted in Barbarossa's day and proclaimed at Pavia, re-emerged in the last years of the XIII century, to evolve during the next till the decisions of Constance.

In this disquieting atmosphere three historical documents stand out:

[1]In what concerned the execution of what was done.

[2]There is only one head, the Pope, one alone should be our head, lord of the spiritual and of the temporal.

the Bull *Unam Sanctam* of Boniface VIII, the treatise *De potestate regia et papali* by John of Paris, and Dante's *De Monarchia.*

The Bull *Unam Sanctam* has had undying fame, through controversies that have continued from the time of its promulgation to our own. Although its dogmatic value is confined to the conclusion and do not go beyond the limits of traditional subjection to the Roman Pontiff, without which there could be no Church, yet in the text theological and political affirmations are so intermingled, all on the same plane, as to imply the most absolute subjection of the secular authority to the papal. It can indeed be proved that Boniface VIII did not go beyond the tradition of the two previous centuries, and that his affirmations, compared with those of Innocent IV, are neither further-reaching nor more strongly worded. But the time in which Boniface published his Bull was very different from that of Innocent's letter to Frederick II, and the solemnity of the Bull with its dogmatic conclusion gave a tone of definition to Boniface's teaching, which was lacking in the polemical letters of the popes to the emperors. Moreover, the influence of the jurists and canonists, theologians and schoolmen of Boniface's day was much greater, through the importance and autonomy of the universities, which were assuming a role outside the orbit of the ecclesiastical hierarchy, and what was almost a control of official teaching—as would be still more apparent at the Councils of Pisa and Constance. In this historical setting something hitherto unprecedented was possible, the solemn repudiation by another pope of the acts of Boniface VIII, so that Bulls of his were annulled and erased from the papal registers, and the order given to burn all copies. The Bull *Unam Sanctam* itself was modified, and even in modified form was declared not to apply to France; neither should the other Bull, *Clericis Laicos,* but that instead the whole position of the rights and privileges affecting France should be as it was before, as though Boniface VIII had never been pope. This marked a complete victory for Philip the Fair, and was combined with another, over the Templars, wrung from Clement V. These were suppressed, and the order given for the confiscation of their goods in favour of the *manu regia.* The presence of the popes in Avignon, the nomination, even though barren of result, of a Valois prince as Emperor of Byzance, and many other favours and

forms of support on the part of the Papacy to the House of France, displaced the centre of European politics, at a period in which the formation of nationalities and the development of absolute sovereignty tended to weaken the unity of Christendom and the papal-imperial diarchy. It may be said that ecclesiastico-political Gallicanism becomes conscious with the conflict between Philip the Fair and Boniface VIII.

John of Paris, in his treatise *De potestate regia et papali*, is the interpreter of French thought, which for five centuries would correspond to the spirit and practice of nearly the whole of Christian Europe in respect of the Papacy. While according to the most widespread conception of the medieval canonists, the popes derived their power in temporal things from the spiritual basis of their supreme ministry, John of Paris makes it derive instead from historical causes or from the concessions of princes, or from necessity, usurpation, or other human deeds, which might or might not be lawful. Thus on the one hand he opposed the Spirituals who denied to popes and bishops any power at all *in temporalibus*, and on the other he returned to the position of Gelasius I, in recognising the two powers as distinct and autonomous, the spiritual directed to spiritual ends, the temporal to ends of the earthly common good. The two powers alike derived from God, and, in speaking of the relations between them, save for particular details of fact, the conception of John of Paris tallies with that of St. Thomas, where he writes: 'In tantum saecularis potestas est sub spiritualis, in quantum est a Deo supposita, scilicet in his quae ad salutem animae pertinent; et, ideo in his magis obediendum potestati spirituali quam saeculari. In his autem quae ad bonum civile pertinent, est magis obediendum potestati saeculari quam spirituali, secundum illud Matth. xxii. 21. Reddite quae sunt Caesaris Caesari.' (*Com. Sent. P. Lombardi*, ii, 44, 2, 3.)[1]

On the Pope's special power derived from the Donation of Con-

[1]'The secular power is under the spiritual in as much as it is sustained by God, *i.e.* in those things that concern the salvation of souls; and therefore in these the spiritual power is to be obeyed rather than the secular. But in those that pertain to the civil good, the secular power is to be obeyed rather than the spiritual, according to Matth. xxii, 21, "Render unto Caesar the things that are Caesar's."'

stantine, John of Paris, while not denying the fact, favours the opinion that holds it juridically invalid. In any case, he limits it to Italy and to other provinces, which certainly did not include France. On the Pope's power over the Empire, he notes that Constantine did not cede away the Empire, but merely transferred its seat from Rome to Byzance. But above all, John of Paris is anxious to show that the Franks were never subject to the Roman Empire. In substance, the papal and medieval, Italian and Germanic idea of a universal Empire embracing all Christendom holds no place at all in his conception; what concerns him is to place France beyond any political subjection either papal or imperial.

Against the opinion of the heretics of the time, he admits that the Church has the right to own property. He holds, what in substance was in the spirit of the Church itself, that such ownership should not be vested individually and personally in the Pope, bishop or beneficiary, but in the community, for which the prelates were merely stewards. He too is against the abuse of wealth by the clergy, in this agreeing with Peter Damiani, Bernard and many others. He does not admit that even the King should be considered as owner of the realm and lands, but as the steward of the community; thus the King can neither be considered as arbiter of the laws of the realm nor *solutus a lege*, but under the law. This, an echo of the medieval conception of the political Community, is lost in his exaltation of the power of absolute and limitless monarchy.

Therefore, he not only contests the Pope's right to interfere in the affairs and laws of the kingdom, but, while admitting the papal right to ask the King for help and intervention in religious matters, he denies the Pope the faculty of constraining the King by canonical penalties should he refuse, or deposing him should he resist. Indeed, if the Pope oversteps his religious authority and invades the civil domain, he can be deposed by a Council. Thus John of Paris combines the theories of Gelasius and Thomas Aquinas with Gallican principles and the theory of the Council superior to the Pope.

The *De Monarchia* has a broader and nobler purpose than the defence of the rights of any monarchy or kingdom. Dante seeks to re-establish the spiritual, juridical, political basis of the universal Empire, precisely

at the moment of the decline of the Romano-Germanic Empire. The absolute independence of States would destroy the unity and disturb the peace of Christendom. Dante maintains the necessity of a single Empire (*monarchia*) within which the individuality of each kingdom shall be respected, but through which all kingdoms, principalities and free communes shall have a supreme regulator, judge and arbiter in politico-civil matters; the Empire is thus an international organism for co-ordination and unification.

According to Dante, this Empire belongs by historical and providential right to the Romans. By the Romans the world was conquered, to prepare it for the advent of Christianity. The Empire itself became Christian. It is not the popes who are the heirs of the Monarchy of the Romans, but Rome is the perennial title of the Empire. Christ confirmed this juridical title by His birth under Augustus and His death by sentence of the Roman Praetor. Dante goes so far as to attribute a natural perpetuity to an historical event, where in showing the natural necessity of human society and extending it to universal or international society, he confuses the principle with the concrete fact of the Roman Empire. But what he sought was a juridical title, and he could not but find it in the will of God, providentially manifested, even with the support of miracles, in favour of the Romans.

It is naturally in the economy of Dante's thought that the Emperor's authority derives from God, without the mediation of the Pope, and hence without the right of the Pope to intervene in civil matters. He contests all the arguments advanced by the popes in support of their thesis, and which the canonists reiterated in their writings. The comparison of the sun and moon, which we found in the Privilege of Rudolph of Hapsburg, Dante declares an inapplicable allegory based on false reasoning; so, likewise, with other examples drawn from the Old Testament. Dante does not accept the chief argument, the Keys given to St. Peter, for the keys are those of the *regna coelorum*, that is, the spiritual authority, never the temporal. The *quodcunque ligaveris vel solveris* refers to the spiritual function indicated by the words *regna coelorum*. Nor does Dante accept the current interpretation given to the two swords, as symbolising the two authorities, spiritual and temporal, both in Peter's hands, for this, he thinks, the sense of the

Gospel passage in no wise allows.[1] Finally, he assumes that Constantine could not alienate what was not his own, the imperial power. Nor, for Dante, was any right created by a Pope's nomination of Charlemagne as Emperor, just as no right could be created by the fact that on occasion the Emperor had nominated a Pope. Dante vehemently denies that the Pope is cause and originator of the Empire, that the Emperor receives his authority from the Pope, that to him appertains only the exercise of power, not its fullness; this would be contrary to the nature of the Church. The relation between the two world authorities, the Pope and the Emperor, is, he declares, necessary and must correspond to the respective ends of the spiritual and temporal good of mankind, which is placed under two universal rectors in order that it may thus attain the good and find the way to salvation in God. In Dante the universal diarchy is perfect; unification is only original and finalistic, that is, only to be found in God. Therefore he writes in the last paragraph of the *De Monarchia*: 'Illa reverentia Caesar utatur ad Petrum, qua primogenitus filius debet uti ad patrem; ut luce paternae gratiae illustratus, virtuosius orbem terrae irradiet, cui ab Illo solo praefectus est qui est omnium spiritualem et temporalium gubernator.'[2]

Dante's defence of the Empire was closely connected with the disordered state of Italy, the captivity of the Papacy in France, the disunion of the German kingdoms and the impotence of the popes to restore the unification of Christendom. The chivalrous Henry VII, elected as Emperor, became an ideal in Dante's thought.

Like the Ottos and Henries of the past, Henry VII would have reorganised the Empire, pacified Italy and the other warring peoples, brought order into the Roman See, and restored the Pope, already in Avignon, to Rome. A legendary figure of medieval Emperor, come three centuries too late, Henry did not see the impossibility of his mission. Fought by the Guelfs, ill-advised by the Ghibellines, opposed

[1]St. Peter, he says, was of too impulsive and simple a nature not to have 'answered merely to the obvious aspect of things,' and in any case, if the two swords were to have a symbolic sense, they would mean the sword of words and the sword of deeds.

[2]'Let Caesar use to Peter the reverence that a first-born son should use towards his father; so that, illuminated by the light of paternal grace, he may the more virtuously shine upon the round earth, over which he has been set by Him alone who is the ruler of all things, spiritual and temporal.'

by France, forsaken by the Pope, discouraged by his very friends, he died in Italy (1313), carrying his ideal with him into the grave. It may be said that his death was the death of the old Romano-Germanic Empire. His successors would become, little by little, mere shadows of an institution that, with all its defects, had done great service to feudal Europe.

Dante's *De Monarchia* is not a realistic or legal treatise, like those of John of Paris, Ptolemy of Lucca or Egidius Romanus. It is an idealistic and polemical treatise, scholastically conceived. It aims at proving by logic, law and scripture the necessity of a supreme power, political and moral, uniting Christendom and through Christendom the world, in harmony with the Church, but independent by nature and functions. The duality of powers, tempered by Caesar's filial sentiments towards Peter, is no negation of a spiritual unity in God, which Dante seeks with all the strength of his faith and genius. On the earthly plane unification was for him real in the Empire and mystical in the Church.

This conception he rendered immortal in the Divine Comedy, thanks to which the *De Monarchia* is still remembered, and it is in the Divine Comedy that Dante introduces human personality as a living element into temporal and spiritual life. This element, of which we had lost sight as though it were hidden away in the monasteries of the early Middle Ages, we found emerging at the beginning of the struggles between Papacy and Empire, in the formation of the Communes, the creation of the craft guilds, the Franciscan movement, Scholasticism and the Universities, and in the political struggle itself. But for the value of this emergent human personality to ripen required two hundred years, culminating in the most mature thought of the Middle Ages and its synthetical and artistic expression in the divine poem.

Dante rediscovers individual personality which had been swallowed up in the earthly Empire and the spiritual Church, and he refashions it as at once human and celestial. In his thought and art he synthesises the mystical apocalyptic stream of Joachim de Flora and the ascetical stream of St. Francis of Assisi; in his struggle against the wealth and power of the clergy he becomes prophet of the reform of the Church. Soaring from earthly science to theological heights, he turns scholastic speculation into poetry. He is a forerunner of the renaissance of classic-

ism, which he sees as an historical reality and as the seal of the Empire. And he quickens the whole by a supernatural faith tried in combat, by the hope of the militant Christian and by the absorbing contemplation of theology and mysticism.

The personality of man and Christian as sung by Dante has continued its unceasing evolution up to our own time, and will develop still further. For man and Christian the *Divine Comedy* remains the book of art nearest to our spirit and our faith. But the Dantesque synthesis of the universal Empire, of a single Christian and Roman Monarchy, was belied by events. The Empire closed with the dream of Henry VII. And in the same way the synthesis of universal papal dominion, unifying all Christendom, nay, the world, and of which, in the medieval struggles between *Sacerdotium* and *Regnum*, Boniface VIII was the last exponent and one of the greatest, closed with the tragedy of Anagni.

The international diarchy of Pope-Emperor would last at least in name for over a hundred years more, a ripening-time for the period of the great transformations that would lead to the modern State and national churches, against which the Papacy—once the crises of Avignon and of the Schism of the West had been surmounted —would begin a struggle of a very different character.

PART II

THE CHURCH AND THE MODERN STATE

CHAPTER V

FROM THE MIDDLE AGES TO HUMANISM

§ 17.—Dante belongs to two epochs—to that which, chronology apart, we call the Middle Ages, and to that of the movement known under the name of Humanism. The *De Monarchia* belongs to the Middle Ages that were passing away, the *Divine Comedy* to the Middle Ages as they live on, to dawning Humanism, and to what the Middle Ages would hand on to Humanism.

It is one of the most common distortions of our attitude towards history, and one of the hardest to correct, to look upon Humanism as the negation of the Middle Ages. For this state of mind the two epochs appear in perfect antithesis, the one a revolt against the other, with a total opposition of values; as though there were an actual historical discontinuity between the Middle Ages and the Age of Humanism. Certain historians go so far as to cut away the entire Middle Ages from the process of human thought, joining up Humanism to the thought, art and culture of the classical period, and taking early Christianity into account only in so far as it was influenced by Greco-Alexandrian philosophy. On the other hand, not a few Catholic apologists not only extol the Middle Ages beyond what reality warrants, but minimise the negative aspects of a civilisation they believe to have been purely Christian. They too admit of a discontinuity between one epoch and the other, with the difference that for them the join has yet to be effected—notwithstanding the attempt of the Counter Reformation and the less effectual one of Catholic Romanticism.

Apart from polemical motives, *hinc et inde*, with which we are not concerned, such a conception prevents any sociologico-historical interpretation of human process. History is process without discontinuity; the past resolves itself into the present bearing with it the good and

the evil realised by events; the trend is always towards the rational, either truly such or so believed; the process is not always progress, it admits of stasis and involution, which can never be complete because there is always a constant grade of rationality and of tendency towards unification. New elements brought into history by men of genius, sages and saints, those who by virtue and mind are or seem to be the expressions of potent personalities—through whom we best see the divine imprint in history—or even by anonymous multitudes impelled by exceptional happenings, are always living elements within the social whole. Even in the periods of moral eclipse the sense of an origin other than ourselves and of a goal outside ourselves is never wholly lacking; we are never deprived of an effectual intuition of our contingency and of the original and finalistic exigency of the Absolute. This, the basic idea of our 'historicism', is not belied by the facts, not even by the affirmation of humanism or by any other revolutionary affirmation, such as have occurred in periods of fruition like that of Socratic Hellenism or of the French Revolution.

From their opposing camps, historians and apologists declare that Humanism brought a reversal of values, that what in medieval thought might be called theocentrism, individual and social, was replaced by anthropocentrism, likewise individual and social. Hence the word 'Humanism', understood as though the idea of man or 'humanity' was now fundamental, resolving all other ideas into itself. Even when the humanistic conception was at its height, this alleged anthropocentrism in thought, art and life—as the opposite of theocentrism—seems a facile and inappropriate synthesis of so varied and complex an age. One series of manifestations is taken into account and the rest ignored; intellectual and artistic motives are over-stressed, at the expense of all the others prevailing in the social life of the time. Especially in philosophy or art the Greco-Roman period and the Italian Renaissance are compared and welded to form an historical pseudo-synthesis. Thus the idea of a cleavage gained credit, an idea that only the anti-historicist rationalism of the XVIII century could have conceived as corresponding to reality and which has been repeated ever since through a kind of mental inertia.

What most distinguishes the humanistic age and its later develop-

ments, through the Renaissance and the modern conception of life, is the quest for the concrete in philosophy, art, politics and religion; an attitude of mind in contrast to the abstractionist formalism that at that very time was reaching its worst excesses. The quest for the concrete did not stop short at manifestations of thought, but created realistic currents in every department of life, in regard to nature and its conquest, to man and his history, to God and communication with Him.

Theocentrism and anthropocentrism, if so presented that one is the negation of the other, falsify the comprehension of history, which has never been wholly humanised or wholly divinised. Understood as two poles of the spiritual dynamism of man, to be found in each one of us and in social life, they cannot be made to indicate different ages, since in every age as in every person the two tendencies now blend, now conflict. If, indeed, we wish merely to underline a prevalence in the significance of given historical events, in such a case accuracy should compel us to take into account all the features of the period, not forgetting that the two tendencies, albeit with varying efficacy, are always working in the dynamism of history, so that we shall never find a cleavage and discontinuity produced by the disappearance of one or the other.

The leaning of the cultured classes of the latter Middle Ages towards classical antiquity has three distinct aspects. The first is the revival of Roman Law, which coincides with the birth of the universities, contributing strongly to the formation of a legal mentality, to the institutional growth of Church and State, and to development of corresponding theories. A second aspect is the philosophical, which stretches from the triumph of an Aristotle made Christian (a task accomplished, in so far as it was possible, especially by St. Thomas Aquinas), to the triumph of Plato (the divine Plato of Marsilio Ficino), surviving the phases of a nominalism that touched the two extremes of material concretism and symbolistic abstractionism. Finally there was the philological or archaeological aspect, which would come to predominate as the revival of classical languages, the imitation of classical art, and the translation of the ethico-political thought of the classics into realities of experience.

These three aspects, though not concomitant, are interchained by a

basic value, that of the quest for concrete reality as a human synthesis, against the ideological and logical abstractness of the currents of the past. To such currents those of scholastic realism and juridical theory came to be assimilated, through their ready recourse to aprioristic and abstract methods, which still prevailed in the mental formation of the time. For this reason the philological and artistic aspect of the humanistic movement seemed at variance with the others, and this has led many to misconceive its real and historical substance.

There are two phenomena that strengthen the illusion of a contrast between the various aspects of Humanism. Above all, there is the entry of the laity into the lists of culture, on an equal footing with the clergy, not only as legists and notaries but as philosophers, men of letters, teachers and moulders of public opinion. The second phenomenon, related to the first, is the growth of a cultured class (composed indiscriminately of laymen and clerics), which as such overshadows and dominates public institutions—Church, kingdoms, lordships, cities, guilds, monasteries—either by occupying the posts of command and counsel, in their quality of learned men or philosophers, or else by their powerful contribution to the orientation of thought and to the spiritual transformation of the age. It is this 'Republic of the Learned' that dominates the conciliar movement at the end of the XIV and beginning of the XV centuries; it is this class that becomes powerful in the princely and papal courts, centres of culture and the arts, hubs of political activity, where, as the organism of an *élite*, it evolves with its own autonomy and personality, as above the law, of all laws, political, ecclesiastic and moral.

The tendency to the affirmation of personality, which showed itself potent in Dante with the *Divine Comedy*, and which originates mainly in the spiritualistic movement of the XII and XIII centuries, expresses itself in the humanistic period as the formation of the cultural and political *élites*, embracing the two camps of laymen and churchmen. Truth to tell, these camps were none too clearly differentiated, and could be distinguished neither by mental tendencies, nor by detachment from the world, nor by the institutions they defended. Laymen, religiously minded, and clerics, worldly in feeling and life, laymen who for the sake of reputation and power turned cleric or obtained bene-

fices, clerics who played the part of laymen, all intermingle. The world is still so penetrated by the organisation of the Church, by the influence of the friars and other religious corporations, that the layman as representative of an *élite* apart does not exist. The Captains of the Free Companies or the lords of cities and castles are laymen (when the lord is not a bishop or abbot, or the captain an ex-friar); the legists and notaries are laymen, but the *élite* in itself, whether in the courts or in the universities, is still a clerico-lay amalgam. The basic economy of the time is still feudal (save that of the cities, which was slowly throwing off feudal bonds), with a predominance of ecclesiastical mortmain and an ecclesiastico-administrative organisation of an international character. The humanist class brought about a flow of wealth towards cultural and artistic tasks, with a munificence that could only come from papal and royal courts, from princely and religious centres, from friaries or from rich and prosperous cities.

These cultural and ruling *élites*, influenced by the study of classical antiquity—which appeared to them as a world of lofty, profound, and beautiful thought—assimilated from it all that corresponded to the mind and need of the time, to the hunger for knowledge, to a facile reaction against the past, to a new fulfilment of political and religious aspirations. The medieval language, a conventional and formula-ridden Latin, ceased to correspond with the new humanistic thought and with the classical influence. The use of the Latin of Virgil and Cicero was not, in Humanism and the Renaissance, a mere literary exercise, but the expression of a living thought. These learned men, all the learned men of the time, were forging a mentality that required a suitable linguistic instrument. The vulgar tongues were still in their infancy; Italian, which had reached maturity through Dante, Petrarch and Boccaccio, was not yet general, nor had it emerged from the domain of the people; it was, moreover, limited to Tuscany. Culture at this time was European. National boundaries were no obstacle to cultural contact; the Roman See was first in France, then in Italy; the Councils gathered together men of culture from all countries at Lyon, Vienne, Pisa, Constance, Bâle, Florence. This universal, European culture—lay-ecclesiastical, pagano-Christian, philosophico-philological—found a language suited to its dominant class in Ciceronian Latin.

Philology at this time was not literary pedantry, but meant a spirit of research, of rearrangement, of philosophical co-ordination, of historical re-orientation, of reconsideration of ethical and aesthetic, political and religious values. These aims, of course, did not show themselves in the thought of every humanist, but taken as a whole these men were more or less clearly aware of their mission and of their reasons for a fight against a past that was becoming ever more obscure and incomprehensible to them. With their philological platform, seeking to reconstruct the ancient world, pagan and Christian, they lost sight —through lack of historical training—of the value of the Middle Ages, but they bore within themselves all that had remained alive and operative from the Middle Ages, and which could not fail to influence their minds and constructions. The classical past, which through them was coming back to life, did not come (except for a few narrow and unimaginative minds, such as are to be found in all periods) as a mere re-evocation of a bygone world, but as a new factor that took its place in the historical process, seeking to shape it to a synthesis with the elements that had survived from the Middle Ages.

Every historical synthesis is elaborated through a long period, with a multiplicity of factors not easily analysed. It is always dynamically in process through fresh disintegrations and re-integrations. We seize hold of given aspects of such syntheses and name them according to the predominance of such factors and phenomena as strike us most or are best known to us; thus we speak of Humanism. This restoration of man as the centre of historico-social life, in thought, art and politics, meant not a reaction against medieval theocentrism, but a deeper study of the natural life of man and its repercussions on the spiritual life. Thus the humanistic conquest is not at all the negation of theism as origin and end, but an attempt at a co-ordination, now inward to the point of immanence—these are the days of the German mystics from Meister Eckhart to Nicolas of Cusa—now external to the point of the most excessive religious legalism, which leads to the theory of the two truths and two moralities. In this wide region between theocentrism and anthropocentrism, Humanism was the expression of an exigency that sprang not only from the development of culture but from evolution in the economic, political, national and social fields, the evolution

and persistence of those same elements that the Middle Ages had ripened and quickened. The philological, historical, and ethical contact of these elements with ancient classicism would produce a synthesis at once fruitful and disturbing, which stretches from the beginnings of Humanism to the late Renaissance.

§ 18.—It might seem at first sight as if the dispute between John XXII and Ludwig the Bavarian, which lasted through the whole of the latter's reign (1314–47), had the same politico-religious bearings as those of earlier centuries between popes and emperors. But in the new setting, in which humanistic features were rapidly developing, the religious and political questions raised rang different and had effects of quite other range.

After the moral and political defeat of Frederick II the Empire decayed; its function was becoming more and more limited to Germany; Italian affairs were left in the hands of the imperial vicars and petty tyrants, who were appearing, a sinister crop, in every city. Meanwhile the popes, after 1305, preferred to stay in Avignon, under the shadow of the Kingdom of France, sending their legates to Italy to bargain or fight.

During this period the popes had resolved to their own advantage the question whether the King-Elect in Germany could or could not exercise his power without the papal approbation, which implied not only acceptance of him as king but also his nomination and subsequent consecration as emperor. Albert I in 1303 had recognised (it was a victory for Boniface VIII) that from the Pope '*reges et imperatores, qui fuerunt et erunt pro tempore, recipient temporalis gladii potestatem ad vindictam malefactorum, laudem vero bonorum*'.[1] This was the most resounding practical recognition of the theory of the priestly mediation of the secular power. Clement V in his turn, after the death of the Emperor Henry VII, maintained that during the vacancy of the Empire its administration should pass to the Holy See, and this gave the popes, during such prolonged vacancies, a free hand in Italy.

[1] 'Kings and emperors, who have been and will be, shall receive the power of the temporal sword for the punishment of evil-doers and for the praise of the good.' *Mon. Germ. Hist.*, Const. IV, 1, p. 155.

These were the politico-legal elements of the beginning of the dispute between John XXII and Ludwig the Bavarian, whose election was strongly contested by Frederick of Hapsburg. Frederick too considered himself as King-Elect; the votes of the electors had been divided between the two and both had had themselves crowned. The war that ensued, which lasted seven years, was not so much a war of the Empire as a local war between the House of Wittelsbach and the House of Austria. Beyond the local interests of the two Houses, their partisans showed little warmth for a future emperor, who outside his own domain was no longer important and, if he went to Italy, knew he would put his hand into an adder's nest and would easily draw down upon himself the fulminations of the Pope—as had nearly always happened.

John XXII, elected Pope in 1316, was in no hurry to recognise either of the two contestants, and remained neutral, turning his attention to Italy, which in that period more than in the period previous was torn by local wars. To prevent any exercise of the imperial power John, in 1317, published a Bull threatening with excommunication all those who in a period of imperial vacancy might assume the title of imperial vicar without his sanction; in the meantime he appointed Cardinal Bertrand du Pouget his Legate in Italy. But when the Bavarian, after the victory of Mühldorf, considering himself now unchallenged, and exercising a power that had not yet been recognised, sent Berthold of Neiffen into Italy as imperial vicar, to the help of Can Grande and the Visconti, the quarrel with the Pope was bound to come to a head. John XXII ordered him to appear at Avignon to clear himself. Since he paid no heed, in March, 1324, he was excommunicated. The Bavarian replied, the following May, by the manifesto of Sachsenhausen.

It can serve no purpose for our study to follow the ups and downs of this dispute. The events that followed Ludwig's excommunication would have remained within the picture of the age and had a merely episodal character, if in support of the emperor's action and opposing the policy of the Avignon popes, there had not been three currents, the philosophical, the mystical, and the juridico-political, eminently represented by Ockham, by Michael of Cesena and by Marsilius of

Padua. Their activities and their influence go beyond even the quarrel between Papacy and Empire; they extend beyond their period and establish new elements that for another century would have a notable historical development.

William of Ockham was the greatest intellect of the time; his activity in every field of thought was extraordinary, and he took a lively part in the polemics and struggles between popes, emperors and friars. He may be taken as representing that intellectual class that was having so potent an influence on social evolution. The pupil and follower of Duns Scotus, he developed the anti-intellectualism and voluntarism of his master, moving towards a nominalism which he revived and made a living stream of thought. Those who do not see the relation between philosophical theories and historical realities often confuse the philosophy of the study or lecture hall with representative and constructive philosophies, arm-chair philosophies with vital philosophies. The former often remain barren individual speculations or else the repetition of ideas that once had life in them and have become empty of reality; the latter are potent ideas that reflect the consciousness of the time and impel it on new paths through profound experiences; they have thus an historical life.

After the triumph of Thomistic intellectualism, which represented the finest balance between thought and reality that the Middle Ages had ever known, the Franciscan school of the XIV century gained the ascendancy. In the world of nature their voluntarism drove them towards experimental reality, considered as the effect of an absolute Will not bound to intellective necessities; in the theological world it made them accentuate positive revelation, as made by the divine Will, minimising any effort at rational interpretation.

Ockham emphasised still more the anti-intellectualistic voluntarism of his order in the direction of a nominalist metaphysic and an 'acosmistic' system. Creation is simply one of infinite possibilities, and was willed by God by His absolute power. Both the cosmic order and the ethical order are such because God willed them so, never by an intrinsic rational exigency. Since there are no universals, neither as essences of reality nor as laws of morality, everything is particular and concrete, everything is the product of the pure act of the Divine will.

Even the natural law is but the abstract form of the decalogue, which itself is nothing but a positive law, the law given by God. On this nominalist basis, Ockham in the religious field opposed a fideistic traditionalism to rationalising theology. The repercussions of his metaphysic and of his theology on the politico-social system were so remarkable that they largely supplanted the already widespread influence of Thomism. They corresponded more closely than Thomism to the social evolution of the XIV century

The voluntarist system, released from the idea of intrinsic rationality, harmonised well with the conception of the absolute and tyrannical lordship that was taking shape on the ruins of the communal democracies and of the already decadent feudal constitutionalism. The idea of the *bonum commune*, the common weal, as the aim of political society, was replaced by that of will as power, which in fact if not in law annulled the participation of the popular classes in affairs of State. The struggle of the princes against the Curia assumed a spiritual character, aiming at disentangling it from earthly interests, but it was also the beginning of a breach between the two powers that would logically resolve itself into the control of the Church by the State.

Neither Ockham nor many others of his time were anti-constitutionalists, in favour of the absolute power of the prince against the rights of the people and of the various social bodies. Indeed Ockham, good Englishman as he was, was a supporter of the Great Charter. But in the thought of the time these were problems of what we should call private law, of the relations between the prince and the persons subject to him. Every country had its traditions, its forms of safeguard, however their efficacy might vary, against infringements on the part of the secular or the ecclesiastical power; franchises, immunities and local or personal rights still formed the basis—legally speaking—of the society of the time, in spite of the increasingly marked tendency towards an absolute power. The questions that we should define as being of public law were then those that referred to the ecclesiastical power, to canonical laws, to the Papacy as the supreme politico-religious authority over all Christendom and to the relations of the Church with the secular power. Against the power of the popes, as expressed in international, legal, political form, Ockham fought, and with him was

the whole Spiritual Franciscan stream, momentarily allied with the legists.

Both were declared adversaries of the canonists and fought the tendency of the Roman Curia to transform religious and political relations into legal relations. Ockham, carrying the legal controversies into the realm of theology, denies plenary power to the Pope, denies that he has power over temporal things by divine right, and will grant only that he has been invested with such power by the faithful and that it resolves itself merely into an historic right. Considering the organisation of the Church in voluntaristic terms, not as an *a priori* rationality, but as something shaped by circumstance, he favours a tempered papal monarchy, with a system of national churches which, under certain aspects, would be autonomous. He admits the intervention of the Emperor in exceptional cases, such as that of an heretical pope. This was then a topical question, for John XXII was accused of heresy by the Franciscan Spirituals because of his pronouncements in the dispute over poverty which was then raging, rousing even the lowest strata of the population and bringing disquiet into the whole Church.

The movement of the Spirituals in the XIV century is in a manner connected with the popular and heretical movement of the century before, but differs from it in several respects. It had grown up within a recognised and approved Order, and hence brought profound division into an organism belonging to the Church. Though at odds with the popes (as happened often enough in those days, to churchmen of all ranks), the Spirituals wanted to remain within the Church. In spite of polemical excesses they considered themselves orthodox and their lives conformed to a high standard of purity and austerity. The people followed them, no longer with the fanatical exuberance of the previous century, but with the confidence inspired by their religious spirit and goodness.

The quarrel of the Spirituals with the moderate section of their own Order centred in the interpretation of St. Francis's message on poverty. They condemned as hypocrisy the papal concession by which property could be held in trust for them through the intermediation of the Holy See. In support of their thesis they adduced two erroneous principles:— that the Rule and Testament of St. Francis of Assisi, inspired directly by

Jesus Christ, was to be considered as of the same value as the Gospel; that neither the Church nor the true follower of Christ could possess goods of any sort, just as Christ renounced all right of earthly possession.

The question of Church property, when so much of the wealth of the time was administered by the Church or held by ecclesiastics, had now been troubling Christendom for three centuries. All the movements that had arisen, whether anti-ecclesiastical and heretical or orthodox and reformist, considered the social problem of property in religious terms, and thus interpreted the immense economic disproportion and agitated to amend it. For the most part these currents, permeated with apocalypticism, found no solution in social and political terms, but reached the pure negation of all property. The difference between the earlier movements and this was that now the laity, lords, traders, craftsmen, peasants, approved the action of the Spirituals as tending to disentangle the Church from wealth and power, and not as the advent of the Kingdom of God for the poor alone, in a world that would renounce all private property. The theorists of the movement, like Ockham, differentiated between the Church (which included the friars and the true followers of Christ), to whom the law of poverty would apply in its entirety, and the world which would remain dualistically in contrast to the Church, in its quest and possession of wealth. The communism of the early Christian communities, on which there was so much discussion, could not be applied either in the Church alone, as a body isolated from the rhythm of society, nor to the whole of society as such. The problem of those days was not conceived in the terms of modern Communisn. The compromise of Ockham and others, of a poor Church which would abandon wealth to the world, had no social foundations. Unable to see the problem in terms of an asceticism freely chosen, and faced by an ecclesiastical organism sustained by power and riches, they sought to isolate the Church from all realistic contact with the social life of the world.

For a time the popes used mild measures against the Franciscan dissidents. There were prolonged arguments. Ubertino da Casale took part in the discussion at the Council of Vienne, and the Decretal of Clement V, *Exivi de Paradiso*, was not a condemnation but confined itself to calling upon the superiors of the Order to punish the guilty.

But John XXII thought to make an end of an agitation that was steadily widening and was troubling the relations of the Holy See with princes and peoples. He condemned the declaration of the Franciscan Chapter that had been held at Perugia in 1328, he proclaimed the Spirituals to be heretics, and caused them to be imprisoned, tried, sent to the stake. Driven out of the convents, which were held by the moderates, the Spirituals gathered together here and there in friendly centres, or else scattered over the countryside, living the life of hermits and nearly always keeping alive their influence over the poorer people and the lowest social strata. On the other hand, Fra Michele of Cesena, the head of the Order, in a circular of 1331 addressed to all the friars, defended the Chapter of Perugia, confuted the assertions of John XXII on poverty, denied that Christ had held universal dominion over temporal things, and accused the Pope of heresy. This charge was exploited by the opponents of John XXII from another and wholly theological motive, that of his opinion on the Beatific Vision. He had said, (as a theologian before he became Pope), that this would not be granted to the elect in heaven before the Last Judgment. This opinion was not peculiar to John, and was held by several theologians, but it served the purpose of his adversaries, especially of Ludwig the Bavarian under whose protection Michele of Cesena had taken refuge in the Franciscan convent of Munich, together with the most celebrated Franciscan dissidents, Ockham, Buonagrazia of Bergamo and others.

These did not belong to the Spiritual party (except for Ubertino da Casale, who had already left the Order), but they joined forces with it in the struggle against John XXII and in favour of the Bavarian, whom they inspired with the idea of schism. They did not consider John a true pope, deeming him a heretic, and they raised up against him Peter of Corvara, a Franciscan friar like themselves, who, though not of the Friars Minor nor belonging to the Spirituals, promised to disengage the Church from wealth and from the secular power that riches demanded and at the same time assured.

The election of Peter of Corvara as pope, in Rome (whereas the popes were still at Avignon), with the intervention of the Roman clergy and people and of Ludwig, elected Emperor by the Roman people on the same occasion and crowned by the new Pope, had neither

legal basis nor general moral assent. In spite of the support of the Emperor, the *mise en scène* of the election and the propaganda of the Franciscans, it was clear that this was merely an attempt at schism, which, after certain phases of struggle, collapsed of itself. Moreover, Ludwig the Bavarian was not the right man to uphold the thesis of the Spirituals on poverty and the reform of the Church, which he had adopted as his own from the time of the Sachsenhausen manifesto of 1324. The inward conviction, religious spirit, force of character, and intellectual level required for such a position were lacking him. For him the arguments of the Spirituals were of the worth of those of his legists, that is on the legal and political plane of the dispute and never on that of an inner reform of the Church.

Ludwig, in accordance with the imperial tradition, had no lack of legists in his service, among them Marsilius of Padua, Rector of the Sorbonne, who together with John of Jandun had written the *Defensor Fidei*, and who, having fled to Bavaria, took part in the Roman revolt against John, stage-managed the election of the Bavarian as Emperor, and became his Vicar-General. His writings are characteristic of his period, and his fame came late. He follows the tradition of the legists placing the Emperor's authority even in ecclesiastical matters above that of the Pope; he revives the heretical theses against the authority of the Church, such as had been circulating from Arnold of Brescia onwards, and he proclaims the superiority of Council over Pope. This last theory was then accepted even by the orthodox party, but in the writings of Marsilius it has a different ring, since he did not admit of a real ecclesiastical hierarchy.

He was, however, not a legist in the true sense of the word, but a political philosopher, and his groundwork is taken from Aristotle who dominated the general culture of the time as an undisputed authority. Marsilius provided the arguments for a naturalistic conception of society, which was creeping in, in opposition to a Christian and religious conception. His political polemic against the Church was based on the conception of human nature as self-sufficient and complete, able to rule itself and develop itself, even while he admitted a supernatural religion as an exigency of the other world, which is reflected on this world, but does not subject it to a system of order and coercion.

This naturalistic separation of the earthly society from the Church, integrally presented for the first time in Marsilius, corresponds, in its political consequences though not in its theoretical premises, to the separation Ockham advocated, on the basis of his political voluntarism and religious fideism. Both, therefore, reach the same conclusion, the strengthening of the secular power to the point of absolutism and of complete control of the Church, which would become no more than a spiritual association. Marsilius maintained that the Church had no legal character, and hence could not constrain men to follow the Christian law by a punitive system; she should only teach, exhort, correct and intimidate by eternal penalties. In any case, he adds, for the salvation of souls, which is the only aim of the Church, external punishment is no use, but only good conduct followed through conviction. On the other hand, as a man of his age, he declares that the prince may make laws punishing heresy with banishment, confiscation of goods and other temporal penalties, for the security of the State; the punishment inflicted on heretics would thus be not of a religious nature but solely political.

Marsilius from the politico-legal standpoint, Ockham from the philosophico-religious standpoint, in substance both tend to unite all powers in the single power of the State. The Emperor was still symbolically the apex of power, but both were aware of the evolution towards the national State or towards separate principalities. Nationalities were gaining substance in the thought of the time, not only in language, or as kingdoms freed from feudal ties, but also as moral entities. Feudal constitutionalism, communal democracies, the corporative conception of public bodies, local and general, within Christendom, no longer corresponded to the Romanised legal conception, nor to the Aristotelian scaffolding of so much political culture. Not only do we catch glimpses of the constituent elements of the modern state, but it begins, more or less unconsciously, to be a reality.

The idea of sovereignty which a century earlier meant only the independence of a kingdom or of a people (the two terms were often interchangeable) from a higher political authority—*universitas superiorem non recognoscens*—now comes to mean plenary and absolute powers. Sovereignty belonged originally to the people: this idea is now

associated with that of a contract between the people and the sovereign. The idea of a contract as the practical origin of society is not a new one; its roots are to be found in all the endeavours to reconcile the rights of the many with the authority of one. But whereas in the Middle Ages the rights of the many were expressed in those of groups, rendered effectual by the corporation, from the beginning of humanism the rights of the many are conceived as standing by themselves, though ineffective without their transformation into sovereignty. Marsilius had already the idea of the sovereignty of the people, realised and expressed by the majority. Actually, such sovereignty is not immanent, but transient. The idea of the ancient *Lex Regia* returns, by which all the powers of the Roman people were transferred to 'the imperial authority'. This principle in its revived form is presented as a kind of political obligation of the many towards a head, a social contract in which the personal right of the contracting people—even if occasionally exercised—always resolves itself into the absolute power of the sovereign.

What we are here analysing is a tendency, which does not mean that in the XIV century corporate rights no longer existed or that medieval political society had disintegrated into a system of individual rights resolving themselves in practice into the right of the head. It is the idea that is creeping in, even while parliaments, such as that of Westminster, universities such as the Sorbonne, municipalities such as Florence, and above them all, the Papacy, even though enclosed in Avignon, resist as best they can the invading absolutism of princes and kings—when they themselves do not fall into absolutism in theory or practice.

The idea of sovereignty brought with it an extension of the ends of the State and an identification of the ends of the community with the ends of the sovereign. And since the concentration of resources in a single person, sustained by force, brought the widest extension of power, thus it widened still further the ends of power itself. The sole theoretical check, in the constant opinion of the schools of the time, was the natural or moral law and the law, positive and divine, represented by the Church. Yet the plenary powers of the Church are challenged, especially that of controlling and checking the power of kings

and emperors and of deposing them if they are unworthy (according to medieval theory and praxis). The political community is dissolving into its elements, individuals and rulers, and is unable to resist the advancing tyranny, while striving painfully to safeguard corporative, particularist and traditional rights.

The decline of the supremacy of law over power—law being considered an abstraction, and power a concrete fact; '*quod principi placuit legis habet vigorem*', echoed the exponents of Roman Law—rendered power increasingly personal. Even the canonists and theologians, like Ptolemy of Lucca and Egidius Romanus, while recognising the right of the corporative systems of the past, leaned towards pure or absolute monarchy. Liberty was conceived as in Cicero, as a participation in political life; hence in the absolute, monarchic régimes, there was no longer any room for liberty in the absence of any participation in power.

In the face of the tyranny that was growing up at the expense of liberties and which sought to evade the moral limits of the natural law, practical legal resistance grows weaker and weaker. Force prevails, local wars, rebellions, assassinations spread. The Free Companies are coming into being, supporting petty lords in their ambitions and rivalries and intimidating town and country. The ecclesiastical princes do the same as the lay princes, and the popes of Avignon too have recourse to arms and intrigue to maintain their dominion in Italy and to make their authority felt. It is no wonder that in such an environment anti-authoritarian currents appear; against the excessive powers of the Pope they maintain the superiority of the Council or secular sovereign (when they do not wish to see him deposed); against the kings and princes they have recourse to the theory and practice of tyrannicide.

The Curialists, who defend the papal theses against those of the Franciscans and jurists and against the propaganda of the Spirituals, hold fast to the medieval tradition, while the popes assemble their acts in Decretals, such as the Clementine Collection of Clement V and the *Extravagants* of John XXII, in which the rights of the Papacy are asserted to their full extent. Henry of Cremona returns to the thesis of the direct temporal authority of the popes, and their sovereignty

over all goods or paramount universal property-right, and Agostino Trionfo champions the juridical absolutism of the Papacy.

Thus at the entrance to modern times, while the dissident Franciscans and the Spirituals, in their struggle to purify the Church from the defilement of earthly power and riches, form the religious basis of the absolutism of the princes, the Curialists and the organisational part of the Church tend more and more towards a juridical and centralising papal monarchism.

§ 19.—The administrative centralisation of the Church was the special achievement of the popes of Avignon, and above all of John XXII. The tendency had already started in the XI century, with the great Investiture conflicts, and it had gradually taken shape, now in the secular, now in the ecclesiastical sphere, according to the phases of development of the international papacy of the great centuries. In spite of this, the local churches still enjoyed special rights of nomination and important autonomies or exemptions, either by ecclesiastical tradition or as concessions from prince or king. But it is at Avignon that the papal Curia reaches a stage of centralised organisation such as it had never known. Officialdom is generalised and regulated down to the smallest details. The popes intervene frequently in the domestic affairs of the local churches, of the monastic orders and guilds. They confer university degrees, distribute prebends, overrule elections, handle benefices directly, while appeals, suits and pleas rain upon Avignon from all over the world.

The right of reservation, which in the past had been the exception, under the Avignon Popes became a custom. In virtue of this right the popes reserved to themselves the direct appointment to vacant benefices or in anticipation of their vacancy, overruling rights of presentation of patrons or electoral rights of religious bodies. As the practice of papal reservation became general the electoral rights of the local bodies were either contested or fell into decay. Such reservation was very useful to the papal Curia, enabling it to allocate benefices to its functionaries, thus lightening the expenses of administration; the bishoprics and other minor benefices remained for long periods without resident titularies, and their revenues accumulated in Avignon.

Protests, often vigorous protests, were not lacking, especially since often the charge of abusive centralisation was doubled by one of simony and nepotism; too often these charges were founded on fact. Edward III protested in strong terms against Pope Clement VI and the parliaments incessantly demanded a return to local nominations. Resistance sometimes took an active form. The dispute with Ludwig the Bavarian was the occasion for the Germans to refuse to recognise the papal nominations and to proceed to fresh nominations either by election or by imperial collation. This continued under Ludwig's successor Charles IV, in spite of promises made by him to Clement VI.

The struggle went on for some time and the popes, not wishing to compromise either their authority or their right, sought by means of understandings with kings and princes to keep the electoral bodies in subjection. These, caught between two fires, the Pope on one side and the Prince on the other (who was only too pleased to take a direct or indirect part in clerical appointments), ended by giving way and adapting themselves to the new trend.

Another activity of the Avignon popes was to reorganise their fiscal system. Besides reservation of benefices (productive of important resources in an economic structure still based on mortmain) many new taxes were created or revived from the past. Some were paid directly to the papal Curia, among them that of a third of the revenues of a benefice (not to speak of minor taxes on the occasion of ordinations, paid as honoraria to the personnel employed); other dues were collected on the spot by the papal collectors, especially the tithes, death dues and so forth. The fiscal methods of those days were primitive and detestable; in the present instance they were aggravated by ecclesiastical penalties, excommunications and other censures, of which the papal tax-gatherers made uncontrolled abuse. These reached the point of refusing ecclesiastical burial to the body of a bishop whose heirs had not paid the death dues. The peoples often grew exasperated, and what with the general wretchedness and the lack of currency, fiscal vexations became unbearable. Resistance frequently took the form of revolt, when papal agents were seized and imprisoned, or mutilated or killed. Excommunications and interdicts multiplied and fiscal motives overruled those of worship or cure of souls. Lamentations became general, so

that to-day when we read the writings of the time and the later chronicles, we feel it hard to believe that they are not exaggerated.

On the other hand, the system was not wholly without justification. The Curia was a necessary organism for the government of the Church. Its centralism served to create a unitary discipline at a time when factors of disintegration were everywhere operative. Much money was needed for the wars in Italy, to regain St. Peter's Patrimony and other provinces, to maintain the feudal sovereignty of the Pope and to prevent the encroachments of the Empire. Moreover, the popes were making every effort to prevent the advance of the Mussulmans in the Mediterranean and in the East, and were working for union with the Greek Church. Here were reasons enough for the Curia to seek to have adequate resources, but so hateful a fiscal system produced lamentable effects on the populations, which grew increasingly disaffected towards a Papacy ill-represented locally and towards the Curia itself which through excess of wealth had fallen into moral decadence. The political result of the Avignon system was important. The Papacy was the first modern fiscal State, the only power with a monetary treasure, helping to generalise the use of money as means of exchange, the only power able to make large loans to kings and princes and which, combining economic and religious resources, from a small French city could still make itself felt in a disintegrating world.

The papal power was rendered stronger by the absolutism of its procedure, which whittled away all forms of consultation and collaboration. This was evident in the Council of Vienne under Clement V. Although the Cardinals had an important place in the Curia and often formed divided and turbulent factions, papal intervention and the administrative system steadily gained in vigour through a sound and vigorous canonical legislation. The Inquisition was strengthened and rendered more organic by means of a more constant procedure and the collaboration of the papal inquisitors, who were friars, with the local bishops. It functioned ruthlessly against the Templars, the Fraticelli and the dissident Franciscans, and later against the Flagellants. The propaganda against the excessive power of the popes and their riches weakened their spiritual force but not their canonical, penal, economic and administrative force. At the basis of society there was a

conformity, religious and political, which, in spite of all, was not shaken. The social structure was still built on the unitary conception of Christendom and on the international, organised diarchy of Church and State.

The death of the Bavarian in 1347 coincided with the rising of the Romans and the tribunate of Cola di Rienzi, who for a brief while seemed to awaken the memories of the republican liberty of ancient Rome. Humanism had revived the cult of Rome; the Roman plebs had always liked to remember that it was the heir of the ancient Romans. The episode of Cola di Rienzi, notwithstanding imperial and papal support, soon fell into discredit, and on its repetition ended in blood. The remoteness of the popes from Rome was a great evil, religious and political; the Papacy suffered from it, and Italy fell more and more completely into the hands of tyrants and became the prey of factions and of local wars. The Free Companies devastated the country and sacked the towns. The popes, in order to maintain their position from a distance, to regain provinces that were either lost or in a state of anarchy, and in order to face the manœuvres of the imperialists, were driven to use the same means as the other Italian princes—wars, waged by mercenaries and the Free Companies, with which they combined the missions of preaching friars, indulgences for their followers, and excommunications and interdicts against rebellious chiefs and cities. Cardinal Albornoz, whom Innocent VI sent to Italy in 1353, was an able administrator, who certainly achieved much for the pontifical dominions and for Italy, but his action was compounded of compromises, adaptations, struggles and resistance, wars and truces, on the insidious platform of realistic politics. The religious reflex came from the hope of a return of the Pope to Rome and from the endeavour to pacify the populations and to restore order. But the very absence of the Pope from Rome was a source of disturbances and disorders. To many it seemed as though the Papacy were eclipsed not only from Italy but from the world.

Several times in the Middle Ages had the popes left Rome for other Italian cities or crossed the Alps for prolonged periods, holding assemblies and councils and going to and fro in the world, now triumphant as fathers, now as fugitives, and now trailing in the wake

of armies sent to subdue their rebel subjects. In ancient days some had taken the road of exile, to die in the East. Yet never had the Papacy itself seemed failing or the Roman See tottering. But since the popes had established themselves at Avignon with all their court, buying the city and building there palaces and fortresses, it seemed as if there were no longer a universal Papacy, but only a Curia for dealing with Bulls and business.

This period was styled 'the Babylonish Capitivity'. The mystics, the Spirituals, the poets, the polemists made the name a symbol. The Italians who felt most keenly the remoteness of the popes and who suffered from the moral and political crises more than any other people of the time, hated Avignon. With all allowance for heated passions, the reminder of Babylon was not unfitting; the francophil policy of the Avignon popes touched servility. No pope has sunk so low as Clement V, who to please Philip the Fair allowed the trial of the corpse of Boniface VIII and ordered that his acts should be erased from the Pontifical Register; who also decreed the suppression of the Order of Templars. The chaos into which the Germanic Empire and Italy fell comes partly from the captivity. And if it cannot be said that the moral decadence of the papal court at Avignon was the effect of forsaking Rome, we can assuredly say that the formation of a court similar to those of the princes of the time, under the influence of the early Renascence and in a period of great affluence of riches, contributed largely to the corruption of the clergy who had gathered round Avignon. Even if Petrarch be accused of exaggerating, it is not possible to reject his testimony or that of other contemporaries.

In this period the mystical element, pure of all defilement, is represented by two women of the highest worth, even from the human standpoint, Bridget of Sweden and Catherine of Siena. Unlike the rebellious Spirituals, these two women are faithful to the authority of the Papacy, both pray and labour for the return of the Pope to Rome, Catherine with a special mission that certain French writers have sought in vain to minimise. But both have a keen sense of ecclesiastical decadence and the faults of the popes; they are in the line of Dante. In a letter addressed to Pope Clement VI, St. Bridget makes Jesus say to the Pope: ' . . . I will punish thee for having pursued thy goods with

unworthy means and for the evils by thee unchained on the Church in the days when thou didst enjoy peace . . .' And as the Pope did not reply to her, she heard Christ speak these words: 'The earth hides heaven from such prelates.' One of Bridget's most lively pages on the conduct of the priests ends with the Dantesque words: 'May they be accursed by heaven and by earth.'

No less bold in deploring and commanding was Catherine of Siena. She speaks in the name of God and manifests His will with extraordinary firmness to popes, kings, princes, peoples and magistrates. She has a mission, as even her adversaries recognise. It seems as if in the defection of men God had raised up women to be His prophetesses (soon a third extraordinary woman would appear on the national, political, military plane, she too divinely inspired—Joan of Arc), as though to usher in modern times under an influence at once mystical and active, religious and political, with their sacrifice as a pure holocaust.

Unhappily the gulf between the mystical currents, (whether faithful or dissident) and the organisational forces of the Church grew ever deeper, even when a saint like Guillaume de Grimoard was elected pope as Urban V, and attempted a reform of the clergy. The idea of a reform of the Church was not new, and was beginning to be keenly felt, but the anti-papal campaigns of the Spirituals and the continual attacks on the fiscal policy of the Curia directed the reform towards a disintegration of the Church. The awakening sense of nationality helped to make local churches conscious of themselves as national churches, and the efforts of clerics to defend themselves against the fiscal burdens laid on them by the papal Curia drove them more and more into the arms of the secular authorities. Kings and princes for their part sought to subjugate the clergy to their will, and to profit by benefices and ecclesiastical wealth. The Assembly of Vincennes in France (1329), the *Statute of Provisors* in England (1351), followed by the *Statute of Praemunire* (1353) limited the rights of the local clergy, hampered their relations with the papal Curia, and laid the foundations of national churches. In Spain too the trend is towards a close association of the clergy with the court, and this is facilitated by the struggles against the Moors and against the Jews.

In the Empire there is no tendency towards national churches, nor in Italy. Among the innumerable kingdoms, principalities and free cities, there were no centres of polarisation like Paris or London. On the other hand, the Empire had become a shadow of what it had been in the past. In Germany there was no longer any true bond, moral, political, or economic, between the various parts of the Empire; the break-up was complete. Charles IV the Moravian sought to install a new order by his Golden Bull of 1355, but actually it consecrated the existing anarchy. What was remarkable, and shows the spirit of the time, was that the Golden Bull omitted any right of the Holy See to sanction the election of the 'King of the Romans' and Emperor. This omission was made with the active consent of the ecclesiastical and lay Electors, and with the implicit assent of the bulk of the German clergy. Innocent VI protested in vain. The Golden Bull remained the title-deed of the new Empire, which had been grafted, for a brief space, on the old, already withered stem.

Henceforth neither Empire nor Papacy would be those of the Middle Ages, interwoven in organisation and power at the summit of an ecclesiastico-feudal society. The world had changed. The most tangible effect of the Golden Bull concerned Italy, which now escaped almost entirely from Germanic influence and from the claims of the Empire. At the same time Italy lost a political orientation, and divided as she was into so many local principalities, would be torn more and more by internal conflicts, the intrigues of powerful families and partisan passions, without an effectual power to hold them in check or to maintain order and give a unity of purpose. The evolution of Italy towards autonomy of the Empire and, under certain aspects, of the Papacy also, had not waited till now to begin, but the policy of Charles IV and the absence of the Papacy in Avignon eased its progress.

All the movements of the time, political, religious and cultural, were at bottom a breaking away from the oneness and universality of the medieval conception, towards a particular and individualistic localisation. And at the same time they were a quest for other motives of coalescence and of a solidarity more living and more profound. Hence a seething of new elements which would find formal expression in humanistic culture but not yet a decisive orientation.

The forces of decay were reinforced and social anarchy increased by the Black Death which invaded Europe in the middle of the XIV century, decimating it and scattering the incipient nuclei of the new social and intellectual classes that were rising. The effects were terrible—everywhere famines and popular risings in both town and country. The necessity of order and the instinct of conservation rendered ruthless those who wielded power and force. The Church suffered as much as other social organisms and perhaps more. The need to restore the nuclei of the local churches and to resume a normal rhythm of life brought a carelessness of relations with the centre; both the sense of independence and the pressure of the secular power grew more marked. Discipline everywhere became lax and vanished, especially in the decimated convents. The brothers scattered and resumed their freedom, or else acted on personal initiative, reviving the ideas of the Spirituals and the dissidents. The plague gave a pretext for all the apocalyptic movements, which coloured generous impulses and fervent asceticism.

The return to normal life was hampered for some time by the Free Companies, by the vagabond troops of workless men, by an unchecked brigandage and by all sorts of anarchic movements, which were favoured by the renewal of the wars, especially in France. One of the most natural outcomes, given the memories of the past and the apocalyptic temperament of many friars which was excited by the terrible advent of the plague, was the movement of the Flagellants. These thought to appease divine anger by scourging their naked bodies, praying and singing through the streets and market-places in an exaltation half mystical and half fanatical. The crowd followed them and felt the contagion of their excitement. Once again there was preaching against the wealth and immorality of the clergy, anti-social proclamations against authority, the hierarchy, property. Moreover, a violent hatred broke out against the Jews, who were accused of spreading the pestilence, and this led to horrifying assaults and massacres. The repression of the Flagellants also by the ecclesiastical and religious authorities was violent and cruel. Here and there the custom of flagellation remained as an ascetic practice, which St. Vincent Ferrers revived a few years later in his popular and famous preaching. He was the last representative, and an orthodox one, of a movement soon to disappear.

CHAPTER VI

THE GREAT SCHISM AND THE RENAISSANCE

§ 20.—The return of the popes to Rome in 1377, so longed-for by the Italians and for which both Petrarch and St. Catherine had done much, unfortunately led—on the death of Gregory XI in 1378—to the Great Schism, which lasted about forty years. This event did not remain within the bounds of an ecclesiastical controversy between legitimate popes and illegitimate, but had an immense effect on the relations between Church and State, which were now set on a new course, both in theory and practice.

The immediate effect of the Schism was to divide Europe into two 'obediences'—the legitimate obedience of Rome, to which belonged the Empire, Northern and Central Italy, England and Wales, Ireland, Flanders, and the dissident obedience of Avignon, comprising France, Savoy, Scotland, Castille, Aragon, Navarre, Portugal, Naples and Sicily. When the Council of Pisa elected Pope Alexander V, he too illegitimate, and the popes of Rome and Avignon (Gregory XII and Benedict XIII) would not give way, there was a fresh scission. Several nations of either side, including the Empire and part of Italy, supported the pope of Pisa, other nations stood neutral, till John XXIII—who succeeded Alexander V—had the greater part of Europe in his obedience, and, yielding to general desire and to vigorous pressure from every side, summoned the Council of Constance. Gregory XII, the legitimate pope, who had retired to Venetia, sent his envoys to Constance, and these, in order to give the council canonical legitimacy, repeated the acts of convocation in his name; thereupon he resigned. John XXIII was obliged to a like renunciation, and consented unwillingly. Benedict, who persisted in refusal, was deposed by the Council, though he never surrendered and to his death the kingdom of Aragon remained faithful to him. Thus in 1417, when Martin V

was elected at Constance by a special conclave of Cardinals and other delegates from the various nations, the Great Schism came to an end.

In forty years of uncertainty about which pope was the true one, when support for one or the other was determined by external, mainly political criteria, or the king's pleasure—for the kings decided to which obedience their kingdoms should belong—the tendency that had already asserted itself during the Avignon period, of the local churches to withdraw upon themselves and buttress themselves by the secular authority, found the way made easy. Where the clergy of their own initiative wished to support another pope than that supported by the court, or to hold themselves neutral, they were faced by either secular repression, when this was possible, or by the intrusion of other bishops and beneficed clergy appointed by the court or by the pope the court favoured. Thus to uncertainty about the head of the Church was added unrest among the clergy, an increased secular interference, and the multiplicity and opposition of bishops and chapters.

In this situation many countries sought a new basis for their churches, releasing them from the many canonical and fiscal ties binding them to the papacy, and substituting national or provincial councils and royal sanction. In this the clergy of France led the way, in the period after 1394 when the kingdom followed the way of neutrality between the various popes fighting for power. They held synods and councils, they fixed the rules for collation to benefices, made ecclesiastical laws, and, in the spirit of tradition that went back a hundred years, to Philip the Fair, they laid the organisational foundations of Gallicanism. The English clergy had already won autonomy; the *Statute of Praemunire* of Edward III was of 1353. The same course was followed in the countries with a certain national unity, such as Aragon. The growth of nationalities was already such at the end of the XIV century as to weaken the sense of universality, characteristic of medieval Christendom. In the Council of Constance, organisation by 'nation' prevailed over the more rational system of organisation by matter.

The Councils of the first half of the XV century did not meet, like the great Oecumenical Councils, primarily to define some revealed dogma that had become an object of theological controversy, but rather to regulate practical problems that affected both the Church and

the politico-ecclesiastical organisation of the time. It is therefore not surprising to find at Constance nearly 18,000 ecclesiastics and over 50,000 laymen, while during the three years of the Council more than 150,000 foreigners passed through the city. The lay princes, and above all the Emperor Sigismund, through the multiplicity of popes and the depreciation of their personal authority, played at Constance a part of the highest importance; but the ruling section of all three Councils (Pisa, Constance, Bâle), was formed by the educated men, the new university class, which, with its rationalism, stood intermediate between ecclesiastical dogmatism and popular feeling.

There was nothing new in the intervention of elements extraneous to the hierarchy in Church Councils; what was new was the important and decisive part played by the universities. This may have been occasioned by the multiplicity of popes and favoured by the national tendency that was now asserting itself openly, but its basis was the Conciliar Theory, which had taken shape in the previous century and in the XV century had become almost general, and was defended by the freest spirits, the most vigorous intellects and the most zealous reformers of the Church. The university made this theory its own and sought its practical realisation.

In 1394, when the Schism had been ravaging the Church for sixteen years, the Sorbonne organised a kind of referendum on how unity could be restored. It received over 10,000 replies, which were classified by Nicholas de Clémangis. There were those who advocated the method of arms, which had already been tried: let war decide which was the true pope. Others proposed arbitration, and there were some who suggested direct conversations between the two claimants. There was the wish to avert war. Arbitration was desired by neither party. Direct conversations were a failure. Therefore, then, the majority inclined towards the summoning of a General Council, which would settle the dispute between the various popes by an act of authority. There were plenty of experts to examine the legal questions involved and to propose reforms for the future, and the secular authorities could be expected to ensure respect of the decisions of the Council by force. (There is a curious similarity to the position after the Great War, and the creation of the League of Nations.)

The referendum of the University of Paris paved the way for the idea of the Council as superior to the Pope and hence also for that of a Council without the Pope or not summoned by the Pope. The greatest theologians of the time, Jean Gerson, Francesco Zabarella, Baldo di Perugia, Pierre d'Ailly, Henry of Hesse, were for the superiority of Council to Pope. Popular opinion favoured the conciliar movement, so that a Council could assemble at Pisa without any papal convocation, in spontaneous form, and be considered as a true oecumenical council, invested with authority. It declared the two popes of Rome and Avignon heretical and deprived, and proceeded to the election of a third pope. All this in perfect good faith, with the intent of serving the Church, ending the Schism, initiating the reform and giving peace to Christendom.

The theory of the Council as superior to the pope began to make its way from the day the two terms were presented as in opposition. Frederick Barbarossa, after instigating the election of the anti-Pope Victor IV against Alexander III who was accused of felony towards the Emperor, called a council at Pavia to judge which of the two was true pope. The conciliar thesis was then maintained by the famous Gerhoh of Reichersberg.

This precedent three centuries removed from the Council of Constance would have had no intrinsic connection with the conciliar theory had it not been for the dispute of Boniface VIII with Philip the Fair, who after the pope's death made Clement V accuse him to the Council of Vienne, and for the conflict of the Spirituals with John XXII and the writings of the anti-papal publicists, culminating in Ockham and Marsilius of Padua. The great Schism incubated such historical elements, so that the conciliar theory triumphed over the opposition of the Roman Curia, and was not only for a long time accepted by theologians and canonists, but would form the basis of the claims of Catholic princes and national clergies.

There are those who see in the conciliar theory a democratic content, holding that it represented within the Church, from the canonical standpoint, a development of the system of popular election of the hierarchy, with the establishment of a real ecclesiastico-lay parliament. To our mind the theory that the Council was above the Pope, that

it should be periodically summoned, that it should act as supreme tribunal for all disputes affecting the Church and Christendom, is not of ecclesiological but of political origin. It is true that theologians of the XV century did their utmost to find reasons in support of such a thesis in early Christian tradition and in the Scriptures, with a rationalist incursion into the constitution of society, but at bottom the problem was of a political nature, even though carried on to an ecclesiological platform, for the fabric of society was still interwoven with that of the Church.

Society was then identified with Christendom. Pope, bishops, kings, emperors, universities, immunitary bodies, clerical and lay vassals, free cities and independent principalities were all operating within the Church, each with a special function, each as a living corporation, inter-related and with a common end. The decline of the medieval Empire and Papacy, the consolidation of the Monarchies, the rise and development of Humanism, the consciousness of the new-born nations, had displaced the focal points of society. A new class dominated, the men of the universities, which without much opposition was assuming control of religious and political thought. The whole effort of the theologians and *universitaires* of the time (learning was still theological, even if philosophical and philological) was to bring an order into this complex society, which was falling apart and fostering the germs of a profound division both between the various parts of Christendom, as the politico-religious unity of Europe, and between the Papacy and the national clergies and their realms.

Most of the men who assembled at Pisa, Constance and Bâle believed that the greatest disturbance came from the popes, both through their exaggerated claims to secular power, the memory of which had not faded, and still more through their direct interference in the ordering of the national clergy and through their fiscal exactions: the riches these brought them were a cause of venality, struggles, immorality and simony. The efforts of the councils were not confined to the particular case of the Schism, but sought a new order and a general reform of the Church. Such councils were therefore not strictly ecclesiastical assemblies (apart from their canonical procedure), but all the various orders of Christendom took part, the university class predominating. This predominance made them at once fruitful and barren.

The theologians of Pisa, Constance and Bâle did not take their stand on ecclesiology; a true ecclesiology, in the two-fold sense, philological and theological, which would shortly come into being under the pressure of other thought and other struggles, as yet did not exist. As yet the Papacy, the various churches and the secular rulers all turned for the defence of their rights to the collections of Canon Law, the papal bulls, the decisions of general and local synods, pragmatic sanctions, privileges of exemption, the whole network of positive law which, despite appeals to tradition and to the Scriptures, was taken as a legal and social construction often of diplomatic character, and entered into the theological and scholastic construction only where the two chanced to overlap.

The papal power as the Power of the Keys, in the religious sense, was not brought under discussion save by heretical currents or by Catholics carried away by controversy. The problem of the papal infallibility was then not raised, as it would be in the years before the Vatican Council of 1870. The problems of the papal power were attacked in a political spirit; the Council became a kind of mediating centre between the Pope and the nations, in such a manner as to limit the papal faculties to the advantage of the local churches, of particular kingdoms and of special bodies, and of that politico-social whole that was then understood by the word Nation.

It was for these reasons that the conciliar theory prevailed over the praxis of the Curia, which was founded on the Pseudo-Isidorian Decretals and had created the tradition of the medieval Councils from that of the Lateran in 1123 to that of Vienne in 1311. The influence of nominalist logic, founded on a basically naturalistic concept, (since the whole is greater than the part, the Council is greater than the Papacy), combined with the influence of Humanism, which tended for preference towards the concreteness of a particularised society (rather than towards one tending to universalism), and the rise of the intellectual classs which had taken control of collective life, carried the theory to its extreme conclusions. The Council of Pisa was not convoked by either pope and ended in the nomination of a third. The Council of Constance, summoned by an illegitimate pope (John XXIII), and regularised by the spontaneous and subsequent act of the legates of the

legitimate pope (Gregory XII), in its IV and V sessions ended by proclaiming the superiority of Council to Pope as a doctrine of the Church and by establishing that the Council should meet periodically as a permanent institution. The Council of Bâle did without the legitimate pope, declared him illegitimate and nominated an anti-pope. In all three Councils the experiment was made of a direct administration of the Church, whether with the Pope, without the Pope or even against the Pope.

It must not surprise the reader if we attribute the same sociological value to the three Councils, though well aware that from the canonical standpoint that of Pisa is not recognised as regular, that in the Council of Constance the decisions of Sessions IV and V are reputed invalid, and that the Council of Bâle was valid only up to the time when it was superseded by the Council of Ferrara and later of Florence. From our standpoint, the spirit of the three Councils was the same, in all their phases, whether legitimate or illegitimate. The discrimination from the point of view of legitimacy was made later, when the post-Constance popes reassumed their monarchic power in full, and the canonists could appraise the past at their ease and classify it according to the prevailing canonical praxis; the theologians and university doctors themselves could then better sift the conflicting theses and find, according to their various schools and tendencies, those compromises that would save both the orthodox theory of papal authority and local rights.

The reform of the Church had been talked of for over a century. At Constance it was discussed at length, and the necessity of a reform 'from the head to the limbs' was solemnly proclaimed in a famous canon. This reform was envisaged more in respect of relations between the national churches and the Papacy than as a real moral renewal of the clergy; it was more on the administrative plane, with political effects, than on a religious plane. There is no doubt that there were not a few who aspired to a complete reform, and many provisions of all three Councils were directed to this end, but the prevailing tendency was an endeavour to shake off the centralising yoke of the Papacy in the administration of benefices and ecclesiastical revenues, in the heavy dues going to the Curia through the annates, in

the judicial system and the granting of spiritual and temporal favours—a whole system that led to intrigues, simony, and impoverishment of local resources which accumulated at the centre.

In this spirit the Concordats of Constance were drawn up in 1418, between the new pope Martin V and the various nations. They were the ripest and most interesting fruit of the movement towards decentralisation, which marks the passage from the medieval papacy of a united Christendom to the super-national papacy of modern times. But at Constance the Concordats with the nations—that is, with the clergy, secular authorities and university doctors—were given a temporary form. They are a prolongation of the new type of Council. These concordats were to be revised and readapted in successive Councils. Indeed, they were spoken of again at Bâle. But it was not long before papal reaction against this transposing of powers and of ruling and administrative organs. Eugene IV, who succeeded Martin V, and who summoned the Council of Bâle (1431) in the hope that it would raise a dyke against the ever growing disorder, ordered its dissolution. The Council resisted, and the Pope, abandoned by nearly all, after a year and a half of struggle had to give way. The Council then superimposed itself completely on the Pope, to the point that many prelates and laymen felt it had gone too far and rallied to Eugene IV. The Pope seized this moment of uncertainty and disorder to send a *Liber apologeticus* to the secular princes, denouncing the abuses of the Council and vindicating the rights of the Papacy. This was the beginning of a revival, with new elements, of the centralising action of the popes, and of a system of direct understandings no longer with the 'nations' or with the local clergy, but with the princes. These indeed had profited by the Schism and the conciliar disputes to take up a commanding position in respect of the Papacy.

Charles VII of France, in the period when France was recovering national consciousness after the Hundred Years War (which had ended through the heroism and sacrifice of St. Joan), in order both to obviate religious disorder and to defend the autonomy of the local clergy against the Curia in Rome, had the idea of a royal Council, composed of ecclesiastics and laymen. After hearing the delegates of the Council of Bâle and those of Eugene IV, this Council issued, in 1438, the

famous ordinance known as the Pragmatic Sanction of Bourges, which laid the foundations of the rights of the Gallican clergy. Naturally it was in favour of the superiority of Council to Pope, and was opposed to papal reservations and provisions in the collation of benefices. It reaffirmed the right of chapters and religious houses to elect their bishops or abbots, and it added—what is significant—that the kings and princes of the realm might recommend their nominees '*par des sollicitations bénignes et bienveillants*'. These 'sollicitations' at once became commands and interference. The system became general; the kings took the place of the Pope in respect of the major part of beneficiary and fiscal rights in the national churches.

The Pragmatic Sanction of Charles VII was imitated by the new Emperor of Germany, Albert II, who promulgated a similar ordinance the following year at Mainz. The other kings and princes of Christendom, by analogous systems or by practical action, invested themselves with many papal rights, especially in regard to benefices, and this no longer as in the XI century with the feudal concept of investiture, but as benevolent and authoritarian intervention to defend the State and religion from papal interference and to prevent revenues from being sent out of the country.

The popes, from Eugene onwards, protested and resisted, and never recognised such pragmatic sanctions or similar acts as legal, however they might have to tolerate them in practice. The kings and princes used them as a political weapon in their relations with Rome, especially the King of France with whom the dispute was keenest and most prolonged, and who would now promise the popes to abolish them, and now give them renewed vigour. From that time forth understandings were arranged directly between the popes and the princes. The agreements between the Pope and the 'nations' were at an end. The local clergies often found themselves between the double pressure of popes and monarchs, who sought more and more to take control of the churches and to abolish in practice and by agreements between themselves any rights of election or presentation to benefices held by religious bodies in the various countries.

§ 21.—Among the exponents of the conciliar theory, as it was held in

the second half of the XIV and the first half of the XV centuries, there were both those whose Catholic orthodoxy remained unshaken and those who deviated towards heretical currents. Between these two groups there was neither religious solidarity nor political community of interest. The Councils of Pisa, Constance and Bâle, while professing bold and untraditional theories on the Pope, the Council and the Church, were no less rigorous than previous Councils in their dealings with heretics. The reiteration of the condemnation of Wyclif, the condemnation of John Hus and Jerome of Prague, and even the condemnation of tyrannicide in the form in which it was defended by Jean Petit and John von Fulkenberg,[1] took place at Constance, when advocacy of the conciliar theory was at its height. The same atmosphere is to be found at Pisa and at Bâle.

The great heresies of the Middle Ages from the Cathars and Albigensians to the Spiritualists and Flagellants had been not so much clearly formulated theories as popular and social movements, that had assumed a religious aspect and a dissident and sectarian character. Theoretical affirmations on authority, the power and wealth of the Church, marriage, the political society, circulated among the people as practical impulses, driving them to seek a new moral and economic order in mystical exaltation and social revolt. The heresies of the Schools, though not uninfluenced by this environment, remained extraneous to it. Apocalyptic Joachimism was never clearly formulated as a theory; it remained as a tendency of which there are many traces in later writers, even in St. Bonaventura and Dante. The exaltation of ecclesiastical poverty found its great theorist in Ockham, who maintained the conception of a separation of two distinct worlds, that of the Church, founded on poverty and hence deprived of all social power, and that of the laity to whom possession of goods and of external power was permitted. It must be remembered that then public power was not conceivable otherwise than strictly bound up with the possession of goods and the principle of property, in whatever form this might be envisaged, and even if such property was merely paramount or symbolic.

This compromise between the principle of absolute poverty and the economico-political ordering of society was lacking in dynamism and

[1]See Finke, *Acta Concitii Constanciensis.*

in intrinsic logic. The question still remained in the doctrinal and university domain. It was revived by Wyclif, he too an Englishman from the university of Oxford, which for more than a century had rivalled the Sorbonne. Wyclif united on a common ground what Ockham had separated, forming an irreconcilable dualism. Wyclif's common ground is the principle of Grace: no possession and no power is lawful save for those, whether clerics or laymen, who are in a state of grace. With Wyclif the problem of Grace is seen in its social aspect, the ultimate term of all the other problems of collective life, of the relations between the individual and society and between the spiritual power and the secular power. He sought, by his numerous and unequal writings, to systematise the whole theologico-social problem that was occupying the thought and activity of his time. He reacted against Ockham's nominalism, to the point of reaching an extreme realism. For him the Ideas are realities in the very Essence of God; God does not work through His dominant Will, free from all rationality, but instead God is an ordered and rational power, His activity is determined, and we by Grace are part of the divine determinism, either as predestinate or foreknown as reprobate. In this iron system of divine determinism Wyclif sought to save man's inward moral freedom by a dialectic in which the free resolves itself into the necessary and the necessary into the free. The predestinate of necessity seek good, they do not commit sins and mortal sins are not to be imputed to them. On the contrary the reprobate are bound to evil, and their sins are sins indeed.

The social development of this system, and it was the motive of the Wyclifite reform, is inset in his theodicy. The Church is the society of the predestinate. Salvation comes by Faith; Scripture alone and not tradition is the law of Christ and all can read and interpret the Scriptures. (It was he who made the first English translation of the Bible and circulated it among the people.) Priesthood, the Sacraments, the teaching and ruling authority of the bishops and the pope, the religious orders are all attacked by Wyclif, who wishes to restore the Church to her primal poverty and to a purely interior religion. Under this aspect he is a precursor of the Reformation. Buttressing himself by the royal power in the struggle against the mendicant Orders and the Papacy, he maintains that Church property should be secularised.

But on the other hand, by maintaining that only the predestinate might hold possessions, offices of magistracy and dominion over others, since they alone are participant by Grace in God's possession of earthly things, he gave an impulse to the communistic currents that were creeping among the people in a latent state, through the old influence of the popular heresies, bringing from time to time an explosion of discontent among peoples stirred by apocalyptic mysticism and oppressed by the fiscal régime, by feudal servitude and by the appalling crises that followed the Black Death. The nobles had then brought in the Statute of Labourers which reinstated a real form of serfdom.

Wyclif's action was confined to England where the protection of the Court enabled him to spread his doctrines among the lower clergy, and among the bourgeoisie and people. The Wyclifite controversy was the result of practical antagonisms between the secular clergy, the friars and the laity, and of the clashes between the Curia at Avignon, the English episcopacy and Court. The story of the strife between the King of England and the Papacy over episcopal appointments, tithes, papal reservations and ecclesiastical dues is a long one. For their continual wars at home and abroad (the beginning of the Hundred Years War came almost immediately after the conquest of Wales and the English defeat in Scotland) the English kings had great need of money and also of papal support and protection. Hence conflicts alternated with restoration of peace and agreements with the papal Curia. The popes for their part in moments of peace sought to recover the ground they had lost, so long as they did not meet with resistance among the upper clergy.

This environment was highly favourable to Wyclif when he defended the secular power against the Papacy and against the upper clergy and the religious orders. (It may be noted that Chaucer's picture of friars and monks and bishop's agents—the Sompnour in the *Canterbury Tales*—is much the same as Boccaccio's.) The Court in London, and especially the brother of Richard II, John of Gaunt and his party, which was hostile to the clergy, took Wyclif under protection. The people saw the corrupt life of the secular courts and of not a few of the ecclesiastical courts; through the thought and writings of Wyclif which were spread among them by the 'poor priests', who were nick-named

Lollards, they learned of corruption and simony in the papal court; as a result they drew the conclusion that all by their sins had lost the right to possession of goods and of civil and ecclesiastical office, and that the whole of society must be permeated by reform in the most drastic and substantial manner, beginning with the sharing of the masses in the goods of the earth.

It is usual to minimise the influence of Wyclif's theories on the Peasants' Revolt of 1381, and indeed its causes were various and complex. But if we note how in those days social and economic theories were expressed in religious terms, we shall see the importance of their influence on hungry peasants, crushed by taxation, forced to work at the same wages as before the plague and doubly oppressed by the lay and clerical powers, so that mystical and psychological motives would rouse them more potently than purely material ones. Certainly after the Black Death savage revolts were a melancholy feature all over Europe. The Jacquerie in France is of 1358; in 1378 it was the revolt of the *Ciompi* in Florence; in 1381 the Peasants' Revolt in England, to mention only the most famous, but everywhere distress was terrible, the masses were restless, a brutal violence ravaged civil life, and anti-social theories found a soil prepared for them.

Certain of Wyclif's theses were condemned by the Council of London and afterwards by Gregory XI in 1378; this did not prevent their spread in England and in certain foreign universities. The marriage of Richard II with Anne of Bohemia brought the two countries into contact. The University of Prague was a fairly recent one; it was the first university of Central Europe, founded by Charles IV in 1347. The Wyclifite theories there found a soil suited to their wide development. In Prague too motives of Church reform are at the basis of the intellectual trends of the university. The great wealth and wide power of the clergy here as everywhere led to scandals, simony and conflicts. Added to this was the Great Schism, the influence of the conciliar theory, the struggles between clergies and courts over the choice of the pope, and over nomination to benefices. Bohemia was then divided, a part for GregoryXII and a part for Alexander V; the university stood for reform and the Council. John Hus, an austere priest, professor and then rector of the University, urged reform from chair and pulpit,

drawing his inspiration from the theories of Wyclif and developing them to suit the intellectual or popular circles he was addressing. The position was complicated by national issues. The University of Prague was composed of Bohemians, Moravians, Poles and Saxons. In founding it the King had allotted three votes to the Bohemians, who were to include Moravians and Slavs (or Slavonians), and one to the Germans, who were to include Poles and Saxons. But subsequently since there were large numbers of Germans, these had usurped the three votes and formed the majority. Jerome of Prague, bound to Hus by friendship and following his theories, wished to vindicate the ancient rights of the Bohemians, and Hus, who was confessor to Queen Sophia, obtained a rescript restoring their three votes. The result was the exodus from Prague of German and Polish professors and students, numbering about 36,000, and in a few years rival universities had been founded at Cracow, Leipzig and Ingolstadt. The Germans took with them a violent resentment against Hus, and were in a strong position because Hus's theories were erroneous and heretical and led to rebellion against the Church and against the Empire. The animosity of the German university class found fruitful soil in the political endeavours of the new Emperor Sigismund to lay hold on Bohemia. These questions were certainly marginal when Hus led his campaign of reform, but they had an unexpected outcome when he was tried and burned alive at Constance in 1415.[1] Then for the Bohemians who had flocked to the Council, the imprisonment of Hus, in despite of his imperial safe-conduct, the behaviour of Sigismund and the Germans, and finally the bearing of Hus himself at the stake (which roused many to admiration), laid the foundations of a national Hussitism, which was heretical as Hus was heretical, who at the stake had become its hero and its martyr.

Hus's theories were not very different from those of Wyclif, nor were they systematically presented. He continued on the same themes, giving them a popular colour and national emphasis and relating them to the Schism that was disturbing Europe. For Hus the Church as a doctrinal and sacramental public order vanishes in an ethical mysticism; the use of the chalice for the communion of the laity was principally

[1] In England the statute *De Heretico comburendo* had been passed in 1401.

intended to strip the priesthood of the character of a separate and hierarchic class. The chalice became a war standard and a source of division among the Hussites themselves. The central point of Hussite teaching is a deterministic predestination, which makes of the elect the sole ruling element of society, the propertied class, the men invested with authority. This predestined election is the mainspring of action of Hus's followers, who turn against the upper clergy and the court, their local adversaries, and against the central authority of emperor and pope, in order to vindicate the independence of the Bohemian nation. To subdue the revolt the Pope calls a Crusade. Three wars in succession are ruthlessly waged, till Bohemia is conquered, and the scattered Hussites take refuge in inaccessible places. The crusades in the hands of Sigismund were at once a vindication of the dominance of the German people over the Slav Czechs, and of the dominion of the reigning house over the Bohemian nobles who sought support among the insurgent masses. The ferment of reform remained in the centre of Europe in a latent condition. The Hussite theories were never stamped out, and circulated in secret. The causes of the moral and economic crisis remained, together with the national spirit which had been rendered keener and more effective by the wars.

The sense of nationality that was developing all over Europe between the XIV and XV centuries had a religious character, since the social structure was still religious. Therefore the Christian uniformism, which produced the persecution of heretics even by burnings and crusades, was reinforced by a national intolerance, which produced an expulsion of dissidents and defeated rebels. These could not remain in their own country; they were considered a danger to the social order. Europe was still wide, not all regions had been explored or inhabited, and they could find sure refuges. They migrated from one region to another, from one kingdom to another. The Hussite wars were a mixture between religious and national. The pursuit of dissidents involved the Jews as well, who were spread over Central Europe. The Jew was alien to the social body. On all occasions of conflict or popular effervescence the Jews were victims. National sentiments intensified the persecutions from the standpoint that nonconformity was becoming a religious and political peril.

The Jewish people from the time of their dispersion by the Romans had found it hard to live in Western communities, remaining everywhere distinct, as a racial and religious group, often hostile, as well as through the special qualities that drove them to become a mediating element between the various peoples and various classes. Thus through the centuries they had suffered the ebb and flow of popular tides of religious hate and political persecution.

The first outburst of popular hatred in the Christian West coincided with the first Crusade, when in France and Germany the armies and the mob turned to massacre the Jews, in spite of the fact that these were defended by bishops and monastic Orders. It was a blaze of mob frenzy, a blind fanaticism, due to morbid forms of religious feeling and popular resentment. The same happenings marked the second Crusade, in spite of St. Bernard's efforts to prevent them. In the wars against the Albigensians and in those against the Moors the Jews suffered as hostile to the established order, infidels dangerous to the faith and to the realm.

Popes and emperors sought to safeguard the Jews through regulations that at the same time limited their activities, impeded their influence on Christians, and struck at their methods of usury. There came to be even a physical separation of Jews from Christians, by means of the ghettoes and a special political supervision. The dependence of the Jews directly on the pope, emperor or king was a legal institution indicating that their lives and the rights recognised to them were inviolable. None the less where the peoples were in ferment, where kings feared for the stability of their thrones, in periods of social anarchism (as during the Black Death, which the Jews were accused of spreading), anti-Jewish feelings reawakened in the most violent form. In England it was Edward I who in 1290 expelled the Jews, but he allowed them to take with them their portable property and money. They would not return till the time of Cromwell.

In Spain the Jews were objects of special mistrust in the wars against the Moors, for the liberation of the provinces still occupied by Islam. As a remedy, and as a means of obviating popular massacres, 1391 saw the promulgation in Castille of one of the most unreasonable and unjust of politico-religious enactments. The Jews were forced to choose

between baptism and death. It was believed that baptism would ensure their religious assimilation and at the same time their national loyalty. On the contrary, the result was the crypto-judaism of false converts, known also as *marrani*, who had loyalty neither towards religion or nation; both, through the violence of a royal decree, had become enemies more to be hated than ever before. Thus after a century of conflicts, persecutions and inquisitorial fires, in 1492 the Jews were expelled from Spain, at the very time of the expulsion of the last of the Moors.

In France Philip the Fair decreed the banishment of the Jews in 1306, believing that this would be a means of procuring money. The ban was extended to the vassal provinces, and in spite of the efforts of kings and nobles to bring them back, for economic reasons, the people would have none of them. In Germany there was no general expulsion, since each of the kingdoms or principalities into which Germany was divided regulated itself according to its traditional autonomies. But the massacres of the Jews during the second half of the XIV century were terrible and extended to Switzerland and Savoy.

Italy—except for Naples—was less troubled by the Jewish problem. The popes nearly always showed themselves more tolerant and even benevolent; the control exercised by the cities over Jewish activities tranquillised the populations, and finally, a true national feeling, such as would make the Jew especially hated, was non-existent in nearly all the regions of the peninsula. It was in fact the awakening of nationality which, combined with the principle of religious conformity and the fears created by the heretical movements, had awakened the anti-Jewish feeling that reached its height in the Hussite wars in Bohemia and those against the Moors in Spain.

The sense of nationality, as particularism and political conformism, after the great Councils of the XV century grows still more marked. The Christian universalism of the West, the unity of Christendom in an ecclesiastico-feudal order, with no rigid frontiers between kingdom and kingdom, was resolving itself into the particularism of the autonomous States, the evolution of the vulgar tongues into written languages, and a national feeling that had spread even among the popular classes. The Christian Middle Ages had inherited the political

and cultural universalism of Rome. Rome had received into its empire many and diverse peoples without demanding any uniformity. The basis of the Empire lay in its administration, its legal system, the cult of *Roma Dea* and of the Emperor. The Roman people ruled, guided and synthesised in itself the subject peoples, who did not by this lose their personality.

Christianity, on the fall of the Roman Empire and through the barbarian invasions, had to refashion the unity of the West on the basis of the Christian faith, the feudal system, and canon law, arriving thus at a moral unification, through the ecclesiastico-feudal ruling class, extending to all countries and solidly established in the unity of Christendom. Although the rulers and heads of countries and even popes and emperors might be divided by struggles and wars, they were always agreed on the religious and juridical substructure of Christendom. The dissidents, the nonconformists, were those who religiously and socially did not accept the pre-established order: both the politico-social dissidents and those who denied religious dogmas were heretics.

As the national sense developed, it came to form a new strand in the conception of Christendom. Kingdoms tend to consolidate themselves as autonomous domains. The peoples assert their personality. The Church begins to be considered as a society not only distinct from the political society but outside or above it as the case might be. The common denominator is no longer the Christian faith and personal fealty to the sovereign; it is also and still more the national personality and the particularity of the State. We are at the beginning of this break-up of the social idea of Christendom and of the deepening of the sense of each nation as a particular group. The struggle against political nonconformists (who would still for a long time be seen under a religious colour) has already begun with the crusades against the Hussites and the banishment of the Jews. Here are symptoms of a particularism that is gaining the ascendancy over universalism.

The system of General Councils, as organs of a politico-religious unification of Christendom, like the Councils of Pisa, Constance and Bâle, had failed. After Bâle national division was still further accentuated in the particularist contraction not only of kingdoms but of the

local churches. The unity of the Church, reaffirmed at the Council of Florence in ephemeral union with the Greeks, attained anew with the end of the Bâle schism, proclaimed in the urgent need of resistance to the advance of the Turks, had never been so threatened as now by the development of the sense of nationality. After the death of Eugene IV a great pope appeared, Nicholas V. In him medieval traditions united with the splendour of the Renaissance, but he had not the universal efficacy he would have had a century earlier. The end of the Schism of Bâle (1449), the Great Jubilee (1450), the coronation in Rome of Frederick III as Emperor (1452) were solemn events of a period that had reached its close. The foundation of the Vatican Library and the consolidation of the pontifical State were events of a new period at its opening. Between the two periods there was a spiritual and political revolution that marks the passage from one to the other and creates the difference and opposition between them.

§ 22.—Three outstanding events accelerated the passage from the Middle Ages to modern times. The first, chronologically, is the exodus of the cultured class of Greco-Byzantines to the West, especially to Italy, before the progressive advance of the Mussulmans in the Mediterranean and the fall of Constantinople in 1453. The Turkish menace should have found all Christendom united, together with the Eastern Empire, to avert so terrible a disaster. But in spite of the exhortations of the popes and a favourable public opinion, kings and princes could not rise above the egotistical sentiment that attached them to their own particular policies. Apart from the successive efforts to check the advance of the Turks by land and sea (which would occupy and preoccupy popes and princes for three centuries more), the chief effect of the fall of the Byzantine Empire was of a cultural nature.

The humanism that for over a century had been spreading from Italy to other parts of Europe, drawing to itself the most cultured sections of the clergy and becoming the basis of lay culture, was widened and deepened by contact with the culture of Byzance. A potent aid to its generalisation was the invention of printing, which in a short time had spread everywhere. The Greek and Latin classics, both those already known and those that were being resurrected from

manuscripts newly discovered or brought from the East, were circulated, admired, worshipped.

The knowledge of the Greco-Latin world, no longer confined to a few chosen spirits but extending to the whole of the educated classes, was like the revelation of an unknown world. As such it imposed itself on the ideas, feelings and activities of all those whom it touched. Stoicism among the nobler spirits took the place of Christian ethics and spirituality, while Epicureanism spread rapidly among the artists and men of letters. In philosophy, Platonism was opposed to the Aristotelianism of a decadent scholasticism and to a nominalism that had lost itself in hair-splitting subtleties. In art natural beauty and classical imitation banished the last remains of the abstract forms of the Middle Ages. These ferments from the ancient world, which seemed to arouse among the educated class an intellectual and moral fever, were very soon brought into contact with the political and religious realities of the time.

The discovery of new lands and finally, in 1492, of a whole continent that would later be called America, led to a social displacement of the highest importance. The physico-experimental trend, which had begun with Albertus Magnus and Roger Bacon two centuries earlier, though wandering in the mazes of astrology, had led to the first inventions and the first discoveries. Gunpowder changes the aspect of war, the press is extending culture, astronomy brings a knowledge of the terrestrial globe and leads to the discovery of other lands and other peoples. Marco Polo and Christopher Columbus are the beginning and end of a first series of travellers of fortune and genius. By a natural repercussion, moral, juridical and religious problems presented themselves under a new aspect. The universality of the Empire, which in the Middle Ages had been raised to a quasi-dogmatic dignity (according to the celebrated phrase of Bartolo, to deny it was heretical), was plainly paradoxical in the face of an expanding world. It became tangibly apparent that Christianity was still the privilege of the smaller part of mankind. And while missionaries and adventurers set forth for the new lands, which Spain and Portugal divided between them, Europe saw the arrival of cargoes of gold and slaves, pagan expression of a naturalism that was gaining the ascendancy with the splendours of the Renaissance.

The Renaissance was not the result of humanism alone, nor are the two historical phenomena to be confounded, as they are by superficial writers. The spirit of humanism found its full expression in the Renaissance, but it is not the whole of the Renaissance. This, in the strict sense of the word, might be limited to the great efflorescence of Italian art in the Quattrocento and Cinquecento, especially painting, sculpture and architecture, poetry and belles-lettres and lastly, in the following century, the theatre and music. But in a wider sense the Renaissance embraces the whole trend of thought and of cultured and moral activity which from Italy spread over Europe, and through its purely artistic and literary manifestations assumes the significance of a new civilisation. The Renaissance is the key to the new age. Thus considered it is necessary for us to understand its sociological implications and to trace the new factors that are developing in social life and in its religious and political expressions and their mutual relations.

The chief element of the Renaissance is what we have called the revelation of Greco-Roman classicism, not only from the artistic standpoint, but also in culture, religion, and philosophy. The Christian world had never lost sight of classical culture. In the time of Julian the Apostate the Christians both of East and West had defended their right to study and teach the classics. Cicero and Virgil had been considered if not on a par with the Fathers as very near them. Roman law had been in part transfused into canon law and in part had either survived or been later restored with its own autonomous character. The Neo-Platonists and Plato himself were present in the writings of the Fathers, especially in Augustine, the well-spring of the whole of medieval culture and of the Augustinian and Franciscan currents. Aristotle, returning through the Arabs, had been adopted by the Schools and, through the work of St. Thomas Aquinas, christianised and made the philosopher *par excellence*. The Roman world had been glorified by Dante. But in all this classico-Christian tradition the prevailing tendency had been to consider classicism as not only the historical antecedent of Christianity but as a preparation for it, intellectual, moral, juridical and political. The providential conception of history made of the Greco-Roman world at once the antecedent, the antithesis and the preparation of Christianity. From St. Augustine to

St. Thomas and Dante the mental attitude was one of seeking to understand, appraise, interpret, sift and purify that world in function of Christianity, of its supernatural ends and religious content.

In the Renaissance classicism presents itself as a self-subsistent reality and truth, complete in itself, as a conception unrelated to Christianity. Indeed the antithesis of Classicism and Christianity is felt not as a necessary subordination of the first to the second and the elimination of contradictory features, but with the attraction of something newly revealed, to which to subordinate the values of a present that seems already of the past and which men doubt or no longer cherish, or would imbue with new life.

This state of mind, whether conscious or unconscious, was widespread in the educated class that now ruled the thought and activity of Europe, and overflowed into social, political, economic and religious life, invading even ecclesiastical circles. It is unnecessary to recall that in those days much of economic life was grafted on to the ecclesiastical benefice, and that many men came to holy orders and ecclesiastical offices through family interests and as a career. The individual resistance of religious men, of austere thinkers and of the people that remained faithful, was feeble and had little efficacy. The reform of the Church was envisaged as a legal systematisation and a demarcation of interests. The triumph of the arts brought the spell of newly revealed beauty, inventions drew men closer to the secrets of nature, with a thirst to ask of it an extra-physcial and magical reality, the new philosophy led to the concrete even in forms and ideas. Christianity for many was confused with a negation of beauty, with an excessive asceticism, with scholastic abstractions, with a whole world that was receding.

The classicism of Greece and Rome was saturated with naturalism; this had an influence on the decadence of morals. The previous period had not indeed been a wholesome one. Papal Avignon was corrupt, and the princely courts of the XIV century even more so. But then the spiritual movement was a popular reaction; Dante thundered against the avarice and simony of the clergy and against the laxity of custom of his own Florence; St. Catherine of Siena and St. Vincent Ferrers were fire and flame against the general corruption. There was a healthy body that reacted and had influence; now such voices had become

weaker. St. Bernardino of Siena (d. 1444) was one of the last echoes of the Middle Ages.

The difference between early humanism and the Renaissance in the matter of morals lies in the prevalence of a naturalistic and pagan orientation over the Christian one. For many of the educated class and the ruling classes whether clerical or lay, the Christian religion becomes sterile, formal, exterior, a social sheath to be sloughed off by those who would attain to personality, contact with nature, liberation from all moral ties, perfect enjoyment. They are oriented towards the earth, man is his own end, values are transposed into dominion, gold, pleasure. The very anti-ecclesiasticism of the XIII and XIV centuries, which had waged war on Papacy and clergy in the name of poverty and renunciation, in the Renaissance becomes a mundane anticlericalism. Popes and cardinals and bishops (not indeed all of them, nor all to the same degree) are drawn by their very environment and by the general corruption to become like the other great and petty tyrants of Italy, the centres of luxurious courts, rather patrons of the arts than shepherds of souls, pleasure-seeking and convivial, mixing the sacred with the profane without scruple, in a paganisation of life drawing in its wake the people who were eager for amusement, together with the corrupt elements of the cities. These lived on the great or small courts, in which riches, art and dominion had centred.

Thus an exuberance of pagan life burst forth on a soil once saturated with medieval Christian life, and this, though latent and subdued, lived on beneath the surface. Hence we are surprised to find manifestations of pure art and religious ideals together with the triumph of a shameless naturalism, mild and great figures like St. Antoninus of Florence and Cardinal Nicholas of Cusa, side by side with pagan men like Cossa (the illegitimate pope John XXIII), or worse, theorists of immorality such as Panormita.

In all ages good and the evil intermingle and influence thought, customs and social activities, but in the Renaissance the naturalistic trend, as it became autonomous, under the influence of humanistic classicism and through the revelation of beauty in art, passed from antagonism to Christianity to the position of a concomitant and often dominating factor, influencing religious theory, penetrating even the

mental habits and feelings of ascetics and mystics. From this standpoint we may classify three currents in the Renaissance, personified, for the sake of simplicity, in three great men, who all three lived in Florence, then the moral centre of Europe, the Athens of culture—Marsilio Ficino, Girolamo Savonarola, and Nicolò Machiavelli.

§ 23.—Marsilio Ficino was the greatest of the XV-century Platonists. His love for Plato was equal if not superior to his erudition. His personal influence, and as head of the Platonic Academy of Florence, extended throughout Europe. In his early period he was a humanist and a philosopher more or less tending to paganism. In the maturity of his thought and life he became deeply aware of the Christian values that many of the learned class too readily ignored. His ideal was to reconcile Platonism and Christianity, pagan classicism and Christian thought, ancient ethics and Catholic morals. St. Augustine fascinated him, but he felt that the Augustinian synthesis could no longer satisfy the world of his contemporaries. Problems were set in other terms, whether they concerned nature, ethics or history, and what he sought was to Christianise Plato and to Platonise the Gospel. Both tendencies are to be found in his *Theologia Platonica*, which he intended as a new *Summa Theologica*, founded no longer on Aristotle but on Plato.

Three elements make the work of Marsilio Ficino representative of his age—the sovereignty or autonomy of philosophy as a rational instrument, no longer the handmaid of theology; a concrete realism as the object of knowledge, in nature and history, as against the universalising abstractions of Scholasticism; an animism, derived from the principle of the 'third essences' (the substructure of the astrology of the time), as opposed to the Aristotelian conception of forms.

The tendency towards concrete reality and philosophical mysticism was not new. Cardinal da Cusa had initiated modern philosophy with his *Docta Ignorantia* and his *Visio Dei*; his immanent principle resolved itself into divine transcendency, his all-but-infinite world lost itself in the real infinity of God. Ficino took a further step towards modern thought in proclaiming the autonomy of philosophy. He would not have it detached from theology, nor does he repudiate theology, but he would reconcile the two in the name of reason, of which the greatest

exponent was Plato. Therefore Ficino subjected the dogmas of Christianity, miracles, grace, the supernatural life to a rational elaboration other than that of the Thomist system, and though in matters of faith he kept within the bounds of orthodoxy, he sought to illuminate them by a broad Platonism that had become for him a principle of truth.

All this would be outside the scope of the present work if it did not reveal what for us is the basic tendency of the Renaissance, the effort to reconcile Christianity with classical paganism as religious and moral thought, as culture, as art, as politics, as the whole of associated life. The two elements, Christianity and Classicism, were considered, in the best hypothesis, if not of equal rank at least of equal force and exercising an equal attraction; the synthesis of the two was sought in a harmony that would imply neither subordination nor negation. The attempt would fail and lead to a profound crisis, but the reality of the Renaissance lies in this conscious or unconscious effort to reconcile a radical dualism, which in its precise terms could admit of no reconciliation.

This irreconcilability was exposed by Girolamo Savonarola to Florence, to Italy, and to the cultured world of Europe. Savonarola's political background in Florence has almost the same features as that of Dante, but the ethical and mystical aspect of events throws into relief the impossibility of reconciliation so keenly felt by the Dominican friar. Whereas Dante arrived at a synthesis of this world and the world above, of nature and grace, of philosophy and theology, Savonarola could not do so: the Renaissance prevented him.

Savonarola fought against the corruption of morals, and in this he was not peculiar. Other holy men and women, his contemporaries, among them the great St. Francis of Paola, fought in the same sense with varying success. Savonarola wanted the reform of the Church, and this word was echoing throughout Italy, as in France, in Germany, in England, in Spain, everywhere; zealous men, laymen and men of religion, were convinced of its necessity and urgency. Their voice remained without response among the high dignitaries of the Church and in the courts of the princes. Faced by the simoniacal election of Pope Alexander VI, by his immoral conduct and the corruption of Rome, Savonarola calls for a General Council and works for its

convocation, but his action is not enough to create in Christendom a state of mind comparable to that which little more than half a century earlier had led to Pisa, to Constance and to Bâle. The endeavours of the Councils to establish a new order in the Church had been at once wearying and perturbing; now each country was making what arrangements it could for itself, particularism was developing more and more at the expense of universalism, the Papacy itself was becoming diminished, involved as it was in disputes with the tyrants and republics of Italy. The central administration of the Church was becoming more and more bureaucratic, formalistic and fiscal. The wind of great aspirations had fallen.

Above this withering ecclesiastical world and above the other mundane and paganising world the figure of Savonarola rises as that of an ascetic and prophet, who at the height of the Renaissance revives the apocalyptic spirit of the past, framing it in Thomist philosophy and in Catholic orthodoxy. If he makes the Council superior to the Pope and believes that it could be summoned by the King of France in agreement with such cardinals and bishops as were not subservient to Alexander VI, he does not depart at all from the normal thought of Catholics of the time. That theory was then generally advocated and was for a long time taught almost throughout Europe. The name of Gerson was venerated as that of a saint. Pius II, in condemning the principle of appeal to the future Council against papal decisions, had not settled the question or annulled the decisions of Constance. In any case, Savonarola took his stand on a point then universally accepted (and which would be reiterated by Julius II in a Bull of 1505), that a pope elected by simony was no true pope. Savonarola wavered on this point. He recognised Alexander as pope and at the same time maintained that he could not be so legitimately; thus he first felt himself bound by the excommunication and then free to set it aside. But these oscillations came from the whole excitement of his threefold struggle, in the political field in the Florentine Republic, in the religious and ecclesiastical field against Rome, and in the moral and ascetic field against the paganism of the Renaissance. The complication of these three titanic struggles made it difficult for Savonarola always to find a coherent synthesis in his practical action. Yet the spirit that he released

in the course of these very struggles was the Christian spirit, seeking to set a check to the paganism that had filtered into thought, art, the administration of the Church and the government of States.

In certain respects Savonarola might be considered the last representative of the Middle Ages that had already closed, the spiritual heir of Dante and St. Catherine of Siena. Under other respects he was the prophet of the forthcoming Protestant rebellion, of the desolation of the Church and of the movement of reconstruction that followed. But his most real aspect is that of one who sought to resolve the problem of the Renaissance in a Christian sense, not repudiating but subordinating to a religious conception of life all that was being achieved in culture, art and social activity through the new experience of Greco-Roman classicism. He sought to purify art, to make Christian ethics inspire politics, to proclaim a freedom combined with religious discipline, to raise the Church above earthly passions, not as separate from the world or alien to it but as a vivifying spirit in the whole of human life. He has been called mistakenly a forerunner of Luther by those who confused his active asceticism with the passive asceticism of the reformers, taking his struggle against Alexander VI for a denial of the Papacy, and interpreting his bonfire of vanities and his preaching against the Florentine carnivals as a condemnation of art. Here are errors of historical perspective. There was nothing of Luther about Savonarola. He was the prophet of the Renaissance, and sacrificed himself to this his mission.

His condemnation, the outcome of political passions and not for religious reasons, while it brings out the spiritual character of Savonarola's mission, fits into the picture of XV-century customs and morals. He is forsaken by his own people and handed over to his enemies, tortured physically and morally, judged by prejudiced judges on documents falsified by bribed notaries; he must die, whatever the cost, because he is inconvenient to the Government of Florence and to that of Rome. In a period of unprecedented violence, poisonings, assassinations, treacheries of every kind like the XV century, the condemnation of the ascetic and prophet to an unjust and pre-arranged death does not move even the people that for years he had carried with him, to the vindication of its own liberty and political personality and the defence

of its interests. The very friars of S. Marco deny him, Florence will return to subjection to the Medici, only a few faithful ones will remember him and seek to vindicate his memory. Thus his sacrifice was complete in every sense.

Something profound and perennial would remain of the activity and personality of Savonarola, and this would be indelible. It is not his protest against a pope of the type of Alexander VI, nor the resurrection of the Republic of Florence and the defence of civic liberties and the democratic system against the tyranny of the Medici; it is the fact that all this is carried on to the plane of a spiritual and passionate affirmation of Christianity against the paganism of the Renaissance, the vindication of asceticism against the theoretical and practical hedonism that from the courts was spreading to the people and invading the sanctuary, the championship of a political life, an economy and an art vivified by religious ethics. His thought was saturated with Thomism, warmed by a breath of Platonism, a Thomism not formalistic but substantial, in its effective realism, its ethical and social organicity, its ontological and finalistic transcendency as against the pantheistic naturalism that was making its way—leaving behind the Platonism of Marsilio Ficino—into ethics, politics and art.

Nicolò Machiavelli did not understand Savonarola and judged him a fanatic. He was the man of 'working truth'—*verità effettuale*, as he called it, or Reason of State, as it was called after him, or 'realistic politics,' as we should say to-day. For him politics are nothing but the art of domination. The ends of the ruler, whoever he be, is the rule to which the ends of the subjects must be subordinate. Means are indifferent; if they are honest, so much the better, but even dishonest means, if they are useful, are not to be set aside. Religion, whether true or false, is a good thing, for it keeps the people in check; morality is useful for general well-being, but politics are independent of morals and religion, both as method and as the autonomous aim of the government of peoples.

Never in paganism had the calculated absence of any higher ideal been so complete as in Machiavelli's political conception. In his theory ethical life is separate from political life, the ends of individuals united in a society from the ends of the head of the State as a single person superior to all. The coincidence of these ends in the idea of the pros-

perity, order, security and greatness of a State means merely the total resolution of the ends of the subjects into those of the head. Subordination to the head is neither ethical nor social, but exclusively political, in the sense that the one criterion is utility. If virtue is useful, have virtue, if crimes, well, have crimes. Machiavelli does not like crimes, but if they bring success he admires their results. Many, to-day as yesterday, agree with Machiavelli without owning to it, indeed veiling their immoral attitude with such considerations as historical fatality, the lesser evil, national or social advantage or even the good of religion. Machiavelli tears away such hypocritical and often transparent veils and theorises the triumph of the useful in political life as he saw it in the XV century.

By suppressing any transcendent idea to which to orient individual and social life as duty, indeed subordinating individual life to a collective advantage represented by the prince, by depriving the head of the State of a basis in moral and juridical legitimacy and giving him instead the sole basis of power, success and personal advantage, Machiavelli in the political field drew the ultimate consequences of the naturalistic pessimism that had filtered into the Renaissance through the Averroist school. Naturalistic pessimism generates individual hedonism, which always passes into a hedonism of an *élite* with the sacrifice of all the rest, and this in politics leads to the dominance of the one or of the few and to the oppression of the many.

Machiavelli's advocacy of politics remote from any moral criterion and from all religious finalism was not only the result of the disgust inspired in him by the politics of papal Rome and ecclesiastical meddling in affairs of State. He did not believe that, in the concrete, men could ever become better and outgrow the inferior stage of evils and vices in which they fulfil their life in common. Hence the need for a head, legislator or tyrant, consul or dictator or prince, who should establish an order, using all means, including violence and cunning, and with the indiscriminate use of good or evil, so long as he succeeded. And since man is moved only by selfish impulses, in the dualism between the head and his subjects, it is the strong and effective head who succeeds in imposing himself, in dominating, in identifying the common advantage with his own.

On this pessimistic background Machiavelli sketches, as though experimentally, a kind of historical dialectic. The founder of a people or legislator is the man who through his own powers couples the will for dominion with the sense of the value of law and the capacity of forming a collective mind: thus the people and the State are born. He is followed by the prince, the man who either to reach power or to maintain it uses force and cunning at home and abroad: he becomes a tyrant or a conqueror. Tyranny often prepares the way for a republic but in the republic the people cannot govern themselves without a strong power, which may become a temporary dictatorship or turn into the tyranny of a prince.

'Fortune', according to Machiavelli, plays her part, together with the will for dominion and the use of force and cunning by the heads, in order that in the unstable co-existence of States one may gain what the other loses. In order to gain it is needful to be strong, and such strength is created by the homogeneity and power of a State, to be acquired by any and every means. But in the conflict between the strong and the cunning it is Fortune that decides.

The Renaissance was never so ultra-pagan (for paganism never suppressed the voice of morality) as to silence every noble sentiment and every human and religious ideal. Machiavelli, although the theorist of the 'political man' of the XV century, knew truth and felt the impulse of lofty feelings as for family, fatherland, freedom, and even for religion itself, to which he turned on his death-bed, like so many of his age. But the concrete was then the term of reaction against abstractionism, and this concrete presented itself with the prevailing colours of a naturalism that absorbed even vice and evil into its reality, so as to induce an appraisement of evil as not evil and vice as no vice, in an effort to resolve all spiritual motives into the so-called 'effectual truth.'

The dualistic debate between the conception of the real and the ideal goes on through the whole period of the Renaissance and gives birth to two extreme currents, the first that of the double truth (a theory that had already arisen in the Middle Ages, but under other aspects), a natural truth, humanistic, experimental, effectual, and a transcendent truth, spiritual, religious, dogmatic. The second is that of the resolution of all objective truth into the subject, whose judgment is free of any

external authority, in personal relationship with God. In this relationship the permanent and ineradicable dualism in man between belief and practice is synthesised: faith justifies without works. The representatives of these two streams are the humanist Pomponazzi in Italy and Luther in Germany.

The intermediate philosophical and religious current, in a struggle that had begun when Machiavelli was still alive between Catholicism and the two extreme currents, remains that of Savonarola, without the prophetic and political character with which he had endowed it. It is the current that seeks to assimilate what in the other two is not in contradiction to Christian tradition, and answers the needs and aspirations of the thought, culture and art of the Renaissance.

§ 24.—The reflection of the monarchising and even dictatorial attitude of mind that prevailed after the collapse of the parliamentarism of Bâle, made Aeneus Silvius Piccolomini first an exponent of imperial absolutism in his *De ortu et auctoritate imperii romani*; then, as Pius II, the champion of papal monarchy in his *Bulla Retractationum*. Through his genius, his vast culture and his three-fold position as conciliary at Bâle, imperialist at Vienna, curialist in Rome, his influence on his age was immense. At a moment when all schism and acute dissension within the Church had ceased, he traced the lines for the monarchic régime of the Papacy of modern times.

As yet the constitutionalism of the Middle Ages had not wholly disappeared, either in the Church or in States, and pure theorists continued to refer to the Community as the fount of political and juridical authority and to introduce a contractual element into the formation of society. Yet all this was a survival from the Schoolmen, preserved to guarantee the rights of immunitary bodies and of aristocratic electoral systems. The monarchic idea, on the other hand, was upheld by the legists of the Empire and of the various kingdoms, and by the Roman curialists, both supported by their following in the universities. On both sides there was the endeavour to draw a veil over the conciliar period, to reduce to a minimum such electoral forms as still persisted, and to rebuild on a basis of absolutism the society that was developing under the aegis of Renaissance classicism.

Side by side with this centralising conception, both secular and ecclesiastical particularism became the more extensive the more the States gained in consistency with the growing strength of their rulers. Thus a political Gallicanism had its ecclesiastical counterpart, that is, the establishment of a special system of canon law for the national clergies, as a bulwark against the claims of Rome, and, in so far as was possible, against the excessive interference of the secular princes. In England, Spain, Germany, the same thing was happening, as indeed throughout Europe, though not everywhere were theories so pronounced or conflicts so resounding as in France.

Gallicanism has had different meanings in different periods. In the strict and political sense, indeed, it is of later date. At the end of the XV century men spoke of the franchises or liberties of the Gallican clergy, calling to witness the Statutes of St. Louis IX, and debating the Pragmatic Sanction of Charles VII. The long quarrel on this point between the Roman Curia and France could find no feasible solution, for neither the clergy nor the Sorbonne nor the King would retreat from their positions. The same disputes arose, with varying degrees of practical compromise, between all the European princes and their clergy.

The substance of these conflicts, which indeed prevented a general reform of the Church, was mainly economic and political. The fiscal system organised by the Avignon popes on a rigid economic basis had withdrawn considerable sources of wealth and a large circulation of money from royal control and from national affairs. This was a serious obstacle to the more rigorous autonomy of the States and to the national interests in process of development. A clash was inevitable. The pressure of the States was too strong, forcing the popes to defence and evasion if they would not lose at least a part of the revenues necessary for the maintenance of the Holy See, the increasing splendour of the papal court, and the encouragement of building and of the arts generally in Rome; above all, if they would not allow the local churches to escape the control of the central authority. The efforts of the Roman Curia to this end and the need for particular understandings led to an extension of the system of concordats, from Constance onwards. It is after Constance that we may speak of real concordats in the modern sense, between the Pope and the rulers of States.

There are canonists who indicate as the first concordat that between St. Anselm of Canterbury and Henry I of England (1107); others instead consider it to be that between Paschal II and the Emperor Henry V at Sutri (1111), or the more celebrated one between Calixtus II and the same Henry V at Worms (1122), which ended the investiture conflict and was indeed known as the Concordat of Worms, as indicating the end of a dispute by a compromise accepted by both parties, the supreme ecclesiastical power and the sovereign secular power. Alexander III drew up a concordat with the Henry II of England in 1171 and Nicholas IV in 1282 ratified that between King Denis of Portugal and the bishops of his kingdom. These concordats had a feudal-ecclesiastical character, or else were confined to particular matters.

The new type of concordat makes its first appearance at Constance, when Martin V, in 1418, published his seven decrees of reform and drew up three concordats with the 'Nations', the first with Germany, Poland, Hungary and Scandinavia, the second with the Latin countries, France, Italy and Spain, the third with England. Such concordats, as we have seen, tended to limit papal intervention, respected the electoral principle, subject to higher ratification, divided the rights of nomination between the Pope and the local clergy, and restricted appeals to Rome on judicial questions. The three concordats were intended to enforce the decisions of the Council for a given period, till revision by the succeeding Council. But such concordats had an ephemeral existence and insufficient authority. The three-party disputes, between pope, kings and clergy, soon began again. The pragmatic sanctions of the kings, the intervention of the Councils and the decisions of the Roman Curia came one upon the other, leaving uncertainty of rights and a turmoil of struggles. The dispute with Germany was settled by Pope Nicholas V and the Emperor Frederick III in the Concordat of Vienna of 1448. This did not give ecclesiastical unity to Germany, for its political structure and acute particularism rendered this impossible; hence the disputes broke out anew and dragged on with a varying degree of tolerance on the part of Rome.

With France a Concordat was reached only much later and under the pressure of events and of political interests such as to induce Francis

I to set himself against the Sorbonne and a part of the clergy and to come to an agreement with Leo X in 1516. The Concordat of Bologna was surrounded, by both parties, with many cautious formulas, which contained the marrow of the two theories, that of the legists, or, we might already say, of the State, and that of the Curia or Pope. Leo X promulgated the Bull on August 18, 1516, as a unilateral act, and the following year caused it to be approved by the V Lateran Council. Francis I in his turn published an ordinance, it too unilateral, in May, 1517, by which he promulgated the bull of Leo X as a law of the State. The Pope, in declaring the Pragmatic Sanction of 1438 null and void, was exercising the supreme power by which he was able to annul any laws contrary to Canon Law, and in defining the faculties of the royal power and lay patrons in regard to ecclesiastical appointments, he was exercising his pontifical right to grant privileges or to delegate power, as the case might be. On the other hand the King, in promulgating the bull as a law of the realm, was exercising a two-fold right, that of legislating as a sovereign without the intervention of any other power and that of royal control over pontifical bulls. These juridical distinctions were in no wise new. Even in the disputes between Papacy and Empire, both curialists and legists sought by subtle formulas to save the substance of the conflicting legal doctrines. At Worms the Investiture Conflict had been ended by two unilateral and distinct acts, one by the Pope, the other by the Emperor. The practice of giving to concordats the legal aspect of international conventions is wholly recent; the outstanding example is that between Pius VII and Napoleon Bonaparte. In any case, even the contractual theory of concordats is recent, while there are still canonists who maintain that they consist simply in a papal indult or privilege conceded to the heads of States, just as on the other hand certain jurists maintain even to-day the regalist theory of the complete sovereignty and autonomy of the State in approving a concordat.

This 'double truth' in the legal domain, which was so clearly mirrored in the cautious acts of the Concordat between Leo X and Francis I, had a long tradition behind it—ever since curialists and legists had fought over the nature and limits of the ecclesiastical power and the secular power. But whereas in the Middle Ages and in the

conflicts between Papacy and Empire, the starting-point was the economico-feudal system, the basis of the claim to right of investiture, by the XV century the process of six hundred years had created two juridical systems, interworking in every sphere of public activity. The organisational diarchy of the Latin Church had succeeded (in spite of fierce struggles) in creating a genuine and single organism, international Christendom, in making the Emperor the secular representative of this organism and in giving to kings a real share in ecclesiastical life; and then after Avignon and after the Schism of the West it had resulted in such a confusion of powers that the only way out seemed to lie in agreements, which, while preserving the form of the traditional rights, centralised everything in the hands of king and pope and thus, in an authoritarian system, was able to ensure something of order and peace.

The concessions to Francis I at bottom were merely formal. Leo X recognised more or less the *status quo* as it had resulted from royal usurpations, many of them carried out with the consent or acquiescence of the Gallican clergy themselves. The right of appointment to bishoprics, abbacies and other benefices was confirmed to the King, to be exercised within six months of vacancy, subject to confirmation by the Pope if he had not exercised his right of refusal. In the latter case, the King was to present a second candidate within three months. For abbots and regular prelates the candidate had to be chosen from among religious of the same Order. For minor benefices, special rights of patronage were to be preserved. 'Expectancies', that is the promises made by the Pope for future successions, were abolished, and the number of 'apostolic mandates' was restricted; by these the collator of a benefice was ordered by the Pope to present a given ecclesiastic, thus suppressing in the particular instance the free choice of a candidate. The Parlement of Paris would not register the decree of Francis I which gave the concordat force of law, so that after ten years of dispute the King caused all questions concerning concordats to be transferred to the Grand Council. While he thus strengthened his absolute power, he was able to hold a constant threat over the Roman Curia: to withdraw his decree and restore the Pragmatic Sanction of Charles VII, if ever the liberties of the Gallican Church were violated.

More or less the same system as that adopted in the French concordat began to be followed all over Europe, meeting with less resistence from the local clergies and tolerated by Rome which, unable to regain the substance, preserved the form and sought to ensure, in so far as was possible, besides a share in revenues, a control over Church appointments and a direct intervention in the cases where the right of apostolic mandate could be applied. Thus the various clergies came more and more to be national clergies and the bishops, through the origin of their appointment and through social position, were increasingly bound to the different monarchies. The bond with Rome was ceasing to be direct, and came through the intermediary of the court and prince.

For keeping in touch with the populations of the various States, for influencing the local clergies or keeping a check on them, for intellectual formation in the Universities, for preaching in the mission countries, and for the protection of the Catholic faith (through the Inquisition Courts), the popes had always relied much on the religious Orders, especially on the Dominicans, the most faithful and the best organised. The Franciscans, after the crisis of the Spirituals, while continuing to argue over poverty, had organised themselves in various families, all loyal to the Church of Rome. But between the Augustinian Franciscans and the Thomist Dominicans a battle raged in the universities, in the schools, in local religious or political factions, and this weakened them, while the wealth of the convents led to a relaxation of morals.

The convents had everywhere become centres of culture and of art; the purest artist-friar of the Renaissance is the Blessed Angelico. Savonarola is the wrathful prophet of God, but Fra Angelico interprets the breath of divinity in purest human beauty. For the most part, the convents did not escape the influence of the time, and their social efficacy, though still great among the people, was small in regard either to the reform of the Church or a strengthening of the Papacy. During the Bohemian wars and those against the Turks, it was the friars who, in the Pope's name, incited soldiers and peoples to resist and fight. St. John Capistrano, Franciscan, is the most combative and popular friar of the age.

When the sea-roads were opened to the East and the New World

had been discovered, it was the friars who would go to plant the Missions. They are the first to take up the defence of the natives, despoiled, oppressed and enslaved by the conquerors. Even in the Missions the friars carried with them the fierce and profound dissensions, theoretical and practical, that had weakened them in Europe. Even on the theme of slavery, when it was condemned by the Dominicans we find a Franciscan who sought to justify it.

The discovery of new lands gave occasion to the Papacy to exercise its international authority as this was conceived in the Middle Ages, and which for a long time had found no favourable opportunity for its exercise, save the attempts to unite Europe against the Turk. On the request of the King of Portugal, Calixtus III had granted him the exclusive right of trade and colonisation in the lands between Cape Bajador and Guinea. The King of Castille, by the Treaty of Alcocevos in 1479, accepted this decision. But after Christopher Columbus's discovery the King of Portugal, Emmanuel, wanted to interpret the Calixtine grant to his advantage, and against Ferdinand of Castille, and the latter addressed himself to Rome to obtain recognition of his right. Alexander VI then signed three Bulls. The first and second gave to the King of Leon and Castille the exclusive possession of the islands and territories discovered by Columbus and any future discoveries, on condition of propagating the Christian faith there, and so long as they had not been previously occupied by another Christian prince. With the third Bull he defined the limits of what to-day we should call the spheres of influence of the two kingdoms, Castille and Portugal. The two kingdoms agreed to accept the symbolic line traced by Alexander VI, and thus avoided rivalry and wars.

The concessions of Calixtus III and Alexander VI are a consequence of the curialists' theory in the Middle Ages on the pontifical rights, *naturaliter et potentialiter* over the whole world, in order that the Gospel should be preached and the kingdom of Christ extended. These rights, according to the medieval conception, which Innocent IV did more than others to define, extended (if necessary) to the occupation of the lands of infidels, the dethronement of infidel kings and leaders, and even to war in defence of the rights of Christians. Although, during the Great Schism and after, an attempt was made to attenuate and limit

the pontifical right, the traditions of the Curia had held fast to the widest interpretation of such powers. On the other hand, the kings could not with any surety obtain the recognition and respect of their international rights from rival claimants and adversaries otherwise than through a papal Bull; this constituted a legal and religious title of the first order.

It is from this angle that we must read the formulas used by Calixtus III and Alexander VI in their privileged grants to Portugal and Spain. In the Bull of 3 May 1497 we read: '. . . *omnes insulas et terras firmas inventas et inveniendas detectas et detegendas, auctoritate omnipotentis Dei nobis in beato Petro concessa ac vicariatus Jesu Christi qua fungimur in terris, cum omnibus illarum dominiis, civitatibus, castris, locis et villis, juribusque et jurisdictionibus ac pertinentiis universis, vobis . . . donamus, concedimus, assignamus, vosque . . . potestate auctoritate et jurisdictione facimus.*'[1] In the Bull promulgated later by the same Pope, Alexander VI, in favour of the King of Portugal we read: '. . . *districtius inhibentes quibusque regibus principibus et dominis temporalibus, quibus jus quaesitum non foret, ne se contra sic se tibi subiicere volentes, quovis modo opponere praesumant.*'[2]

The terms employed are those of medieval usage, but in the Renaissance they had another sound to what they would have had in the days of Innocent III or IV. The infidel against whom Christians had fought from the VII century onwards was the Mussulman, a warlike invader, an enemy who came into Europe with the fanaticism of a faith, the need for expansion and the thirst for dominion. If not under this aspect, certainly from this consideration, the theory of the papal dominion over Christian princes, *ratione peccati*, had been extended to cover the infidel; it was the justification of preventive war, indeed

[1]'. . . all islands and lands found and to be found, discovered and to be discovered, with all the dominions, towns, fortresses, territories and villages, and all the rights and jurisdictions appertaining thereto, by the authority of Almighty God granted to Us in Blessed Peter as the Vicar of Jesus Christ on earth, we give . . . concede and assign to you, and make yours by power, authority and jurisdiction. (Raynaldi, 1493, n. 19.)

[2]'. . . strictly forbidding any kings, princes or temporal lords, who have no right to vindicate, to presume in any way to set themselves against those who wish to become subject to you.' (*Id.* a. 1493, n. 33.)

of any war, according to the formula of Ostiensis who termed a war against the infidel a *Roman War* and considered it *always* a just war.

Calixtus and Alexander, in yielding to the insistence of the kings of Portugal and Spain, had three clear aims: the first, the propagation of the Faith; the second, peace between Christian princes; the third, the concession of a right of trade and colonisation in lands reputed as *nullius*, belonging to no-one. Thus a new right makes its appearance, that of colonisation, which is linked up with the old right of conquest of the Roman people over the whole earth. This right in the Middle Ages had become the right of the Empire, which the regalists extended to the whole world. The dictum of Bartolo in the XIV century is celebrated: '*Si quis diceret imperatorem non esse dominum et monarcham totius orbis forte esset hereticus.*'[1] But in the particularism of the Renaissance, the rights of the separate States had rendered the Emperor's right ineffective and almost incomprehensible. The Church alone still possessed a virtue of her own through which earthly rights rested on a basic religious right. Ecclesiastical mediation of civil power returns to life, for a little while longer, in the international field and creates a new right, that of colonisation, sanctioning, in the name of religion, a fact that was coming about through the discovery of new lands and the subjection of the native peoples.

Kings, explorers and conquistadores would abuse this new right with which they were invested, and would make the Faith and the Church serve their particular ends, which would translate themselves into political dominion, economic exploitation and traffic in slaves. Missionary friars like the Dominican Las Casas and later the Jesuits would seek to impede the conquistadores and to safeguard the moral, economic and political rights of the natives. But their generous efforts would be nearly always overruled by the reasons of the Courts, to which the Church did not offer sufficient opposition. Therefore later, during the Protestant controversies, the Bulls of Calixtus and Alexander would be rediscussed, and the question raised whether the popes could give kings such far-reaching powers over lands that lawfully belonged to the native peoples.

[1]'If anyone says that the Emperor is not lord and Monarch of the whole world maybe he is heretical.' (Hostes,1.)

Bellarmin would then declare that the purport of the papal concessions was not that Spain and Portugal should make war on the infidel chiefs of the newly discovered lands and occupy their kingdoms, but only that they should carry the Faith there and protect the missionaries. Suarez and in general all the theologians of the age would say the same. But they, for one thing, gave too little weight to the phrasing of the Bulls, which speak explicitly of a grant of lands, towns, places, villages, rights, etc., of which, the Pope declared, he had made the King of Castille '*Dominus cum plena libera et omnimoda potestate et jurisdictione*—Lord with full, free and complete power and jurisdiction.' In actual fact it was in this sense that the kings proclaimed and enforced their right of conquest and of colonisation of the discovered lands, giving it its widest interpretation, to the point of deposing chiefs, the *debellatio* of peoples and the enslavement of the vanquished. One of the formulas of a proclamation to the natives, in the name 'of the Most High and Mighty King of Castille and Leon', made by Alphonso of Oieda, asserts the full and absolute right granted by the Pope ; hence if the natives did not willingly accept the new dominion, he declared: 'I Alphonso, etc. will enter by force into your country and will make war *à l'outrance* and I will force you to obey the Church and the King, and I will take your women and your children to serve as slaves.'

It is plain that this interpretation of the papal Bulls was illegitimate in spirit and was contested by the missionaries (in so far as they were able); it goes without saying that bishops and religious Orders intervened with the kings, seeking to temper the ardour of the conquistadores. But the fact was that the pagan spirit of the Renaissance had united with the Christian spirit of the Middle Ages, and the spread of the Gospel was a means of legitimising political and economic interests and of justifying new and wider slavery.

CHAPTER VII

REFORMATION AND COUNTER-REFORMATION

FIRST PERIOD (1517–63)

§ 25.—The atmosphere of the beginning of the XVI century was well adapted to a widespread movement of spiritual and political revolt. So great a crop of outstanding individualities, and the intellectual and moral liberty—indeed licence—assured by the Renaissance, with the support of kings and popes, lay rulers and ecclesiastical princes, could hardly fail to produce the man who would lead the way to open revolt and subvert the whole of the West.

The famous Cardinal Cesarini, nearly half a century before Luther started the Protestant reform, wrote to Pope Eugene IV: " When the heresy of Bohemia is quenched, another still more dangerous will arise. . . . Who can fail to see that there is danger of a total subversion? Woe to the ecclesiastics, wherever they may be found. . . . They will be declared incorrigible, decided as they are to live in shameful deformity, cost what it may. . . . The minds of men are full of what they are preparing against us. . . . They will believe they are offering to God a pleasing sacrifice in despoiling and killing priests. . . . They will cast the fault and the shame on the Court of Rome, for in that court they will see the cause of all the ills of Christendom. . . . The princes of Germany will rise up against us. . . . I see it, the axe is at the root, the tree is leaning, and instead of supporting it so long as we can, we cause it to fall to the ground.'[1]

Luther's protest was the sign for a general movement against the established order. But neither the case of Luther nor his personal efforts would have had so wide and lasting a success if the ideas and tendencies he represented had not been ripening for no short period, and if political circumstances had not favoured their course.

[1] *Mon. Gen. Conc.*, Sec. XV, f. II.

From the doctrinal point of view, Luther is connected with John Wyclif and John Hus, whose theories had never been extinguished, in spite of persecutions and crusades. Although in Germany an anti-Bohemian position corresponded to national interests, yet the anti-ecclesiastical spirit of princes, bourgeoisie, towns, universities and the lower clergy drew nourishment, consciously or otherwise, from the Wyclifite and Hussite theories, inasmuch as these sought to break down all barriers between hierarchy and laity and to do away with a power, the papal power, that had become economically burdensome and in many respects morally corrupt.

The occasion was provided in Germany by the preaching of the Indulgences, which Julius II in February, 1507, and Leo X in October, 1513, had granted to those who contributed to the expenses of rebuilding the Basilica of St. Peter in Rome. When in 1517 Leo X gave permission to the Archbishop of Mainz, Albert of Brandenburg, to keep back a half of the sums brought in by such preaching in order to pay the Fugger bankers, this gave the impression of a financial transaction. The Archbishop by means of able preachers attracted the faithful from neighbouring regions into his domain, among them those of Saxony. This irritated the other princes, especially the Elector John Frederick, if only because of the drain of money which went partly to Rome, partly to Mainz.

It was then that the Augustinian monk Luther was moved to present his ninety-five theses against the Indulgences, causing them to be nailed to the church doors of the fortress of Wittenberg. Apart from doctrinal and religious motives, there were also smaller, human motives for Luther's action. In that moment he was not thinking of a real rebellion against the Papacy. Certainly he was spiritually ready for it, but events would drag him thither when the historical factors were ripe. Luther's attack on the Indulgences found a favourable echo both in the intellectual, humanistic camp and among the princes. The defence of Indulgences by the Dominicans and the attacks of the Augustinians, with the controversy between the Universities of Erfurt and Wittenberg, would have had the character of a mere friars' quarrel and a question of academic punctilio, if the conflict had not had resounding echoes through the anti-ecclesiastic and anti-Roman spirit circulating throughout Germany.

To this current of rebellion against a social order that had become unsatisfying, combined with the need for a moral reform of the Church, Luther gave theoretical and practical issue, experimenting little by little and adapting it to the vicissitudes of his struggle. The derivation from Wyclifism and Hussitism is plain, precisely in the practice of Communion under both kinds, but, while he made use of heretical elements that had already come into being, Luther's originality declared itself in his theory of Grace and Scripture. Starting from the conviction that we have no true free will, he founds his doctrinal construction and his religious practice on the concept of Justification by Faith, which works in us by application of the merits of Christ, without our free and active co-operation by good works. This Justification by Faith is given, conserved and quickened by the Word of God, which is permanent in the Holy Scriptures and operative in each one of us.

On the basis of the two principles of Justification by Faith and the Scripture as the Word of God, Luther does away with the sacramental mediation of the Church and her authoritative magistracy, after having separated religion (*pietas*) from ethics (*moralitas*) through the denial both of free will and of the necessity of good works. The logical consequence of such doctrines, taken in their absolute sense, would have been the suppression of all associated and visible religious life (the Church) and the reduction of the Christian religion to an individual fact of conscience in the single and invisible relationship of the soul with God. But principles do not always work out the whole of their inner logic; in real life they are amended and rectified by the practical positions into which even the most doctrinaire and strong-willed of men are forced by events.

Luther and the reformers in Germany were induced by the very positions of their fight against the Roman Church to construct a Church for themselves to set against her; this was the 'Church of the Gospel'. Placed at the head of a great movement they could not fail to give it practical and visible organisation. Their 'Justification by Faith' had to pass from the subjective and individualistic stage to an objective and associated one. Individual interpretation of Scripture had to give place to an increasingly rigid orthodoxy, (based on the text of Scripture as translated, on the early Creeds and on the first four Oecumenical

Councils), with no possibility of evading the bounds assigned by the leaders, its inspired champions and fierce defenders. The sacraments, no longer administered by a privileged hierarchy and voided of the significance of instrumental means of grace, remained for the community of the faithful as non-liturgical channels of a grace not bound up with such means—baptism, as signifying Christian initiation, penitence, as outward surety of forgiveness, the Eucharist as a fraternal banquet. These elements of Christian association, combined with liturgical assemblies and preaching, formed the visible structure of the Lutheran Church.

In seeking to overcome the first obstacles placed in the way of the Reformation by the Roman Church, the Empire and the Catholic princes, Luther could not avoid facing the two-fold problem of social ethics and temporal authority. The theory of the Servile Will eradicated any possibility of reconciling individual morality, a man's responsibility for his own actions, with any form of social morality. Obliged by his theory of Justification by Faith to maintain the separation of religion from ethics, Luther could not resolve the problem of associated life save through the conception of a double morality. On the one hand spiritual morality, entirely inward, the morality given by faith in the passive and quietistic application of the merits of Christ—a pure faith that inwardly and without our aid must work the regeneration and elevation of our every faculty and our every act; on the other, external morality, that of human life in common, based on natural law, written in the Decalogue and enforced by the secular authority.

It was in the spirit of Lutheran thought to attribute a totality of value to inward morality and to leave out of account external morality (the moral issues involved in the necessity of power, force, property, war, and slavery). He echoes St. Augustine's antinomy between the City of God and the Earthly City. But Augustine reconciled this antinomy precisely through the fundamental unity of Christian ethics, as realised by the members of the City of God within the bosom of the Church, whence virtue might flow back into the organism of temporal society. Whereas for Luther unification comes about only in a subsequent phase and in a wholly external form, seeking in the secular power both the

moral order of society and an effective and authoritarian organisation of the Reformed Church.

In his treatise on 'Temporal Authority' (1523) Luther divides the Christian from the citizen, the kingdom of Christ from the kingdom of the world. The one is on the plane of faith and grace, the other on that of reason and the law. The kingdom of Christ is purely an inner kingdom; works belong to the kingdom of the world, and have merely an external or civil value, to be regulated by the temporal authority. The kingdom of the world, he holds, comes from the irremediable corruption of our nature, from the 'beastliness' of our inclinations. Society is not a community but a power. The task of the temporal authority, as power, is to give an organisation to corrupt nature and to mortify and correct human beastliness. The political society is a necessary institution. In spite of this it is intrinsically evil. Luther's pessimism goes beyond that of Machiavelli. To govern according to the Gospel, he declares, would be the same as letting loose savage beasts. It is necessary to separate the two kingdoms, 'that where there is pardon from that where there is punishment, that where a man gives up his own right from that where he claims it'. According to Luther 'conscience has nothing to do with the laws, works and justice of the earth'. He reaches the point of writing that a prince may be a Christian but must govern not as a Christian but as a prince. Luther's type of prince, if we consider him carefully, has little cause to envy Machiavelli's; indeed he has something more characteristic, for he absorbs into himself the whole of the power up till then possessed by the Church in temporal matters.

This absolute separatism might seem attractive as an attempt to spiritualise the Church, leaving to the State all the outward activities that had brought so much corruption into the ecclesiastical world. Actually it was an abdication of all moral and organising activity into the hands of the State. To avoid the consequences of this, which in practice would have voided the reform of any features of a Church, Luther in a second phase leaned on the authority of the princes to the point of making them the religious authority unifying the Church itself. This led him to abandon the idea, which he had carried over from Catholicism, of a '*Church one and universal, visibly organised and self-governing*'. He now envisaged the unity and universality of the Church only in the

inward and invisible Mystical Body, whereas the visible Church would be organised by nationalities, countries and states, according to the territorial divisions of the political power.

The ideas follow events, how closely the various phases of the Reformation show. The first phase, in regard to the social life of the Church and its relations with the State—in Germany it was still possible to speak of Papacy and Empire—was the destruction of the established order—detachment of clergy and bishoprics from Rome, abolition of celibacy as monks and nuns forsook their convents and became secularised, confiscation of church property by princes supporting the Reform, abolition of benefit of clergy, immunities and other recognised rights, and so on. All this was a form of rebellion in which the princes supplanted the local church and Rome in all their rights.

From this destructive process sprang the necessity for a reformed social order. The Peasants' Revolt and the extremist movements of the Reformation itself drove Luther to lean still more on the rich and powerful. The necessity for defence against Rome and against the Emperor strengthened the ties between Lutheranism and the princes who favoured it. These in adopting the Confession of Augsburg made an act of rebellion against the Catholic Church and the Empire. The defence, which meant also armed defence, of the new politico-religious position obliged them to drag with them the populations that followed Protestantism, and to win 'for the Gospel' (as the term went) as many cities and provinces as they could. The political issue dominated the religious problem, but the religious problem forced itself upon the political situation. From the close combination of these two elements arose the Protestant State that was one with the Territorial Church; here the religious element of protest against Rome and faith in Holy Scripture and the tendency to make Christian practice purely inward fused with an absolutistic and intransigent affirmation of political power.

Thirty-seven years after Luther's rebellion the Diet of Augsburg (1555) was able to lay down the celebrated principle that subjects must adopt the religion of their prince—*cuius regio illius et religio*. This actually was a political compromise to end the struggles, persecutions and wars between the various Christian confessions, each supported by princes and cities, but for the Lutherans it was the logical consequence

of their premises in their conception of Church and State. They had asserted that the visible Church must be territorial, and had proclaimed the prince as the sole external authority (1523); as their theory and practice matured they had come to recognise the prince (the type of prince to which we have referred) as judge and absolute head of the temporal administration, custodian of the 'two tables of the law' (1528) and absolute judge of Christian doctrine (1530). The confusion of reformed Church and State was wholly to the advantage of the secular power.

The early Lutheran conception of the spiritual order as sustained by the temporal order of law and power gave place to a complete superposition of the State, which was invested, *de facto* and *de jure*, with all powers. These powers extended even to the internal life of the reformed Church—uniformity of doctrine, administration of property, rules of appointment of ecclesiastical ministers, punishment of dissidents, all fell within their sphere. The prince was held to be the supreme member, indeed the patriarch of the Church, and became its head. Thus while a new type, which we may call *individualist* (inasmuch as based on free enquiry), makes its appearance in the diarchy of Church and State, at the same time the cesaro-papist form of political power returned to life, with a coincidence, closer than before, of the territory of the State with that of the Church.

The territorial character of the Church was conceived and wished for by Luther under the aspect of German nationality, with which he hoped the Reformation would be co-extensive. He had translated the Bible into German, not only to make it understandable to all as the Word of God, but also that it should serve to create and reweld a German soul. 'If I had to translate Moses', he wrote, 'I should want to make him a German, I would take away all Hebrewisms so that no one reading my translation would be able to say that Moses was a Hebrew.' This idea of Germanism was all the more alive in that it served as a banner in the struggle against the Italian Papacy and the Latin and Slav countries. But not all the States and Free cities of Germany followed the Reformation. The princes faithful to Rome and to the Empire fought the Reformers, and Luther, who incited the Lutheran princes to destroy every residue of papism, called upon the Catholic Duke of

Saxony for toleration for the Reformers and recognition of the autonomy of their Church. He lacked logic, for he admitted neither the principle of toleration nor that of autonomy.

As a whole, Luther contributed potently to the affirmation and development of the absolute State of the XVI century and to the collapse of many factors of the communitary or corporative State of the Middle Ages; he installed a new cesaro-papism of the secular power, after disintegrating the community of the Church through religious individualism. He thus went a step further than Machiavelli. The latter subordinated religion to the State and religious and moral ends to political ends. Luther disengaged religion and religious ends from the State and took away from social ethics their inward basis. Machiavelli, while admitting the organism of the Church as autonomous, wanted it to be extraneous to the activity of the State; Luther deprived the Church of any influence over the State and bound the Church itself to the statal power. Machiavelli sought the humanisation of all power, and placed it above all morality and all religion. Luther theocratised power (in a kind of non-priestly theocracy), but by detaching it from inward morality he placed it outside the relations between man and God.

The weakness of this conception lay in the impossibility of a dialectic between the functions of political power and those of moral and religious unification assigned to the prince, who personified the State. This was in substance an *Ubrigkeitstadt*, a State of coercion, wholly power. In order to become at the same time a *Kulturstadt*, a State founded upon education, morality, religion, and to fulfil the function of head of the Church of the Gospel, it would have had to make these values interior to itself, that is, become a principle of conscience. But since this was repugnant to the Lutheran conception, nothing remained but to sterilise the function of *Kultur* into formalism, and resolve it into power, all power, in the hands of the absolute prince.

§ 26.—The movement of the Reformation spread beyond the frontiers of Germany, and found wide consent in both the intellectual and mystical camps. The Baltic countries are influenced by Lutheranism and the princes head the revolt—in Norway and Denmark the two

successors of Christian II, Frederick I and Christian III, and in Sweden Gustavus Vasa. Holland, too, accepts the Reformation, under William of Orange. German Switzerland is guided to Protestantism by Zwingli, who gives it a character of its own, distinct from that of Luther. But another movement starts from France. It is Calvin who gives a new imprint to the Reformation, and a stronger, more consistent and more inward impulse. Driven out of France, he goes to Geneva, whither he returns after a parenthesis of three years in Strasbourg, and where he achieves his work as reformer.

Calvinism is important not only through the Geneva experiment but through its expansion in broad zones, from the Rhine to the Low Countries, to Scotland, and on the Danube and later in the Americas. Its influence on the development of Reformed Christianity was far deeper than that of Lutheranism. Although Calvinism derived the principles of Protestantism from Luther, it took so different a path, both in its theories and its practical realisations, as to make an understanding impossible.

The central point of difference is to be found in the theory of predestination, which informs the whole of the religious thought and outward activity of Calvinism. According to Calvin, Grace is not only a wholly gratuitous gift of God, but is the absolute means through which, by the inscrutable Will of Divine Judgment, He destines a part of men to share in His glory, and makes another part worthy of His wrath. Calvin derives from Luther the idea of grace disjoined from human co-operation as good works, and in consequence from the idea of divine chastisement for our voluntary offences. But the conception of God as Absolute Will, and, in human parlance, loosed from all reason, however profound and mysterious, a God who does not communicate with us in His intellectual light and the fire of His love, but only through His immutable Will, is all Calvin's. Maybe he derived it more or less unconsciously from the last of the Nominalists, especially from Ockham, who (as we have already noted) based all value and order, superhuman and human, religious and social, on the pure Will of God, voiding the whole of the created world of any intrinsic reasonableness and intelligibility of its own. However this may have been (and doctrines have often a secret and subterranean course,

successors of Christian II, Frederick I and Christian III, and in Sweden Gustavus Vasa. Holland, too, accepts the Reformation, under William of Orange. German Switzerland is guided to Protestantism by Zwingli, who gives it a character of its own, distinct from that of Luther. But another movement starts from France. It is Calvin who gives a new imprint to the Reformation, and a stronger, more consistent and more inward impulse. Driven out of France, he goes to Geneva, whither he returns after a parenthesis of three years in Strasbourg, and where he achieves his work as reformer.

Calvinism is important not only through the Geneva experiment but through its expansion in broad zones, from the Rhine to the Low Countries, to Scotland, and on the Danube and later in the Americas. Its influence on the development of Reformed Christianity was far deeper than that of Lutheranism. Although Calvinism derived the principles of Protestantism from Luther, it took so different a path, both in its theories and its practical realisations, as to make an understanding impossible.

The central point of difference is to be found in the theory of predestination, which informs the whole of the religious thought and outward activity of Calvinism. According to Calvin, Grace is not only a wholly gratuitous gift of God, but is the absolute means through which, by the inscrutable Will of Divine Judgment, He destines a part of men to share in His glory, and makes another part worthy of His wrath. Calvin derives from Luther the idea of grace disjoined from human co-operation as good works, and in consequence from the idea of divine chastisement for our voluntary offences. But the conception of God as Absolute Will, and, in human parlance, loosed from all reason, however profound and mysterious, a God who does not communicate with us in His intellectual light and the fire of His love, but only through His immutable Will, is all Calvin's. Maybe he derived it more or less unconsciously from the last of the Nominalists, especially from Ockham, who (as we have already noted) based all value and order, superhuman and human, religious and social, on the pure Will of God, voiding the whole of the created world of any intrinsic reasonableness and intelligibility of its own. However this may have been (and doctrines have often a secret and subterranean course,

like underground waters), Calvin too fell into the extremes of voluntaristic and activist nominalism, which corresponded better than the quietism and passivity of Lutheranism to the needs of the active spirit of Western Europe.

While the Lutheranism of Germany and the Baltic was pursuing its religious evolution on a semi-mystical plane, leaving all activity in the civil and religious spheres to the political power, Calvinism, among more highly evolved peoples dedicated to the active life of thought, art and commerce, bore the stamp of an external and conquering activity. According to Calvin's conception men are not placed on this earth to try them (for this his idea of predestination excludes), nor for the maintenance and increase of a grace that is a pure gift, but in order that the elect may manifest in the world the divine activity and creative nature of the Divine Will. From this came an intense activity in every sphere, including the political and economic, through a lofty sense of conformity to the creative Will of God, rendered manifest by the elect in all the relationships of worldly life, private and public, individual and collective.

This voluntaristic orientation on the one hand liberated Calvinism from many theological and biblical questions, with which the Lutherans were much concerned; on the other it gave to each member of the religious community a more pronounced personal value. Humanism had done much to give human personality a significance and value of its own in the universe. The naturalistic current prevailing in the Renaissance tended to detach man from the supernatural and to concentrate all the values of personality in earthly life. Luther (for all his self-contradictions) aroused a religious and mystical reaction against the naturalism of the Renaissance, but at the expense of personality, which melted away with the denial of free will, the separation of ethics from religion, and the complete subjection to the secular power, which was rendered absolute. Calvin, on the contrary, in giving to each individual a religious task to fulfil in the world, brought human personality nearer to earth, after seeking to immunise it against evil by plunging it in the mystery of the absolute Will of God and of the destiny of predestination.

From this conception sprang, as from a fertile soil, the kind of olig-

archic theocracy represented by Calvinism in Geneva. Calvin's State is a Christian-religious State, based on the Decalogue, not as an external law as Luther would have it, but as an inward moral law and the basis of the activity of each individual. Thus the State is not dualistic, in the sense of representing the outer world or evil, a conditioning of life with which the Christian was not concerned; it was unitary, and for Calvin was a representation and execution of the authority and will of God. He conceived the State as moral and autonomous, and in this he might be deemed, as he often is to-day, the first to have a clear idea of the modern State. But Calvin when he spoke of a moral State meant a Christian State, in which morals, religion and Christianity form a synthesis. And when he proclaimed the autonomy of the State, that is, rid it of any dependence on the Church, he not only did not break off relations between the two but set State and Church on a common ground, the fulfilment of the will of God through Jesus Christ.

His formula might be theoretically expressed in the following terms: the Church is not Christian because the State constrains it to be so, nor is the State Christian because the Church constrains it, but because both are obliged to observe the law of God and to carry out His will. Calvin insists on the biblical parallel of Saul and Samuel—Saul the King, Samuel the Prophet. Both are in agreement because they must serve God; Saul must listen to the voice of the prophet, Samuel must not interfere with the laws of the king. Geneva is not a true theocracy in the sense of priestly dominion over the civil order, but it is an endeavour to impregnate the civil order with religious elements, so that it may become a suitable means for the development of the Calvinist Church. It might be considered as an experiment in a Christocracy on a Protestant basis and under an oligarchic régime, whereas Savonarola's attempt in Florence half a century earlier had been an attempt at a Christocracy on a Catholic basis under a democratic régime.

This system carried with it a wholly religious conception of authority, of the duty of active co-operation with it and of obedience to it by conscience. Thus there is a period in which we find the Calvinists in Catholic countries loyal to the established powers, subject to the king who persecutes them, prepared to win their liberty and the rights of their community by moral and legal means. But the climate of

religious disputes and struggles did not encourage such a spirit; the political field was a plane of conflicts which ripened into rebellions and wars. The tendency of all the movements of reform was to shake off the sovereign or ruler appointed to them, to particularise themselves and form independent groups, even within the State, or else to entrench themselves in what might be homogeneous regions, or to emigrate into neighbouring States. The cities subject to bishops or princes rose up in arms, like Geneva, to win the freedom to join the reform. Many men called for mutual toleration and not a few princes sought to avoid armed conflicts, making concessions to the Reformers and directly or indirectly favouring them.

Under the pressure of such movements the Calvinists became among the most active and combative, ready for seditions, rebellions, religious wars. The theory of the lawfulness of tyrannicide, which for nearly two centuries had been seeking to penetrate the Catholic world, was revived by the followers of Calvin, who made it their own. It was not a case, according to their conviction, of a purely practical attitude forced upon them by events, but of a spiritual attitude for the fulfilment of the kingdom of Christ, for the sake of which it was a duty to resist and oppose those who raised impediments. In any case, Catholics, Lutherans, Calvinists and Protestants of every kind, each from their own special standpoint, too easily turned religious controversies into bloody battles and civil and national wars. The two spheres, the civil and the ecclesiastical, were too interpenetrant and often confused, and the idea of toleration, often invoked by humanists and religious men, was acceptable neither to the Catholics nor to the Protestants. Thus recourse to coercion on the part of the legitimate power, or to rebellion on that of the other, with war as the inevitable outcome, was part of the general psychology of a Europe in ferment.

The English movement towards the Reformation had a character peculiar to itself. At first it might appear merely a schism. Henry VIII —who for his defence of the Sacraments against Luther had won the title of Defender of the Faith—through the refusal of Clement VII to annul his marriage with Catherine of Aragon, rebelled against Rome, and with the consent of Parliament and of a part of the clergy and of the nobility in 1534 proclaimed himself Head of the Church of

England and of the Principality of Wales. He did not seek changes of dogma, at least in any direct and explicit form. The occasional motives for the separation from Rome, besides the personal case of Henry VIII, were of an economic, fiscal and national character—the feeling for independence from continental politics and for a liberation from tributes and appeals to the Pope, the projects for ending the interference of the Roman Curia in nominations to ecclesiastical benefices, the confiscation of the property of the religious Orders, and, on the part of the clergy, a desire for the abolition of celibacy.

The disaffection of the educated classes towards papal Rome was widespread, in England as elsewhere. In 1517 the Dean of St. Paul's, Pace, described Rome as full of all dishonour and infamy—*omni dedecore et infamia plena.* Charles V after the sack of Rome in 1527 had a momentary idea of stripping the Pope of all dominion; the question was then discussed in the courts of France and England whether it were not desirable to create national patriarchs who would declare themselves independent of Rome. England had at the time a kind of ecclesiastical autonomy, for Cardinal Wolsey, who as Archbishop of Canterbury was *legatus natus*, had obtained the appointment of papal legate for life for the whole realm; he acted as if he did not depend on Rome. Clergy and people were accustomed to see Canterbury and the Court united as the supreme authorities, and Rome came into the picture only when ecclesiastical dues had to be paid or when it was a question of privileges or dispensations or judicial appeals, as in the case of Henry's divorce. Wolsey hoped the Pope would grant him the faculty of deciding the case without appeal. But this was not possible and it went to Rome, which decided against the divorce. This decided Henry to pass into schism. Cranmer as Archbishop of Canterbury began to call himself *Metropolitanus*, instead of *Apostolicae Sedis Legatus.* Henry termed himself at the same time 'king, emperor and pope in his dominions', and the Church 'a body politic', to use Cromwell's expression in a draft of the Bill for the Submission of the Clergy. And the clergy, with a few glorious exceptions, submitted, and lost their liberties, their property, and their very personality.

Merely pragmatical motives could not suffice without a theoretical basis on which to rest; otherwise their effect would have been short-

lived. Writings and controversies round about Luther had invaded England, where indeed the Wyclif tradition and the anti-Roman spirit had prepared the soil. Yet Lutheranism did not reach the people, nor did it allure the promoters of changes, nor the upper clergy, nor the court. The English monarchy was seeking to unify the whole of the British Isles in itself. Henry VIII obtained from the Irish Parliament the title of King of Ireland instead of that of Lord; he was able to introduce English laws and customs, and the chiefs of the Irish clans received the title of peers. Over Scotland the English Kings claimed feudal rights, and the continuous wars between the two countries were turning to the advantage of the arms of Henry VIII. With the Continent a policy now of detachment now of understandings or conflicts corresponded to the impulse of maritime and colonial expansion, towards which Great Britain was constrained to tend. The movement of liberation from Rome coincided with the national and absolutistic policy of the age and with the ambitions and whims of the Tudors.

Thus, without raising the problems of grace and predestination as living problems felt by reformers and re-echoing among the people, England was led towards them step by step in the course of the struggle, as a means of finding justification for her separation from Rome. But the ecclesiastical physiognomy of the country remained intact, with the episcopacy grafted into the organisation of the State, with a Parliament that controlled synodal assemblies and their acts, and intervened authoritatively even in the doctrinal and liturgical provisions of the Church; and above all with a king who was at once political and religious head. Thus a peculiar and original type of national hierarchic Church gained consistency, unified by the King and controlled and sustained by Parliament—in substance it was a royal cesaro-papism, tempered by parliament and the synods, and shaped by the intrigues and violence of the court.

The Reformation in England was not the work of the people, nor of men of popular and mystical appeal, able to rouse the enthusiasm of the masses, nor of great figures of the stamp of Luther and Calvin, but of the King, his councillors and ministers, laymen and ecclesiastics. From Henry's schism in 1534 to its final establishment, the

reformation was the King's matter, carried out by means of parliamentary legislation, and particularly an intrigue of bishops and courtiers. The opposition of those faithful to the Catholic Church and tradition was not wanting, and they were persecuted and put to death. Of these the greatest and among the first (in 1533) were the Chancellor Thomas More and Cardinal John Fisher, to-day among the saints. The people were divided between those who followed the innovators and those who resisted them. There was no blast of great collective passion.

Henry VIII wanted to remain equidistant from Catholicism and from Lutheranism. After the Ten Articles against the Pope, Purgatory, relics, images and pilgrimages, he promulgated the Six Articles, with penalty of death for those who denied Transubstantiation or who asked for Communion under both kinds and cast doubt upon the Mass and confession. Indeed, in 1540 three Lutheran ministers were burned and three Catholics beheaded. The King's direct action in favour of the Reformation was intensified, with a protestantising tendency, under Edward VI (1547-53), when the First and Second Acts of Uniformity were passed and the Book of Common Prayer issued. And while Mary (1553-8) sought reconciliation with Rome and the re-establishment of Catholicism, Elizabeth returned to the reforming policy of Edward VI; it was then that the final separation from Rome and establishment of the episcopal Church took place, while laws of persecution alternated with mitigating measures of toleration.

It was with the protection of Elizabeth that Protestantism took root in Scotland, propagated by John Knox who, on his return from exile in 1557, spread the spirit and ideas of Calvin with which he was imbued. In 1560 Knox drew up the Protestant Confession. The Scottish Parliament decreed that the Catholic Bishops should no longer have jurisdiction. The understanding between the Scottish Protestants and England led to an anti-French policy, and to the imprisonment and execution of Mary Queen of Scots. The difference between the reform of the Anglican Church and that of Scotland lies in the fact that the first separated from Rome mainly for practical and political reasons, maintaining the episcopal scaffolding and close collaboration with Parliament and Court. In Scotland the reform worked up from below;

the people and the lower clergy adopted Calvinism and fomented an anti-monarchic and anti-French policy. The Bishops were eliminated and the breath of Puritanism petrified minds and customs, preserving the personality of Scotland as distinct from England, in spite of the political union of the two countries under a single monarchy.

§ 27.—In the period that stretches from 1517 to 1545 (the date of the opening of the Council of Trent) the Catholic Church found herself in a crucial position from three standpoints: the internal one of moral, disciplinary and administrative reform; that of resistance to the movements of schism and of Protestant reform, and that of her relations with the Catholic princes and their States. The three standpoints are so interconnected as to be inseparable if, apart from analysis of facts, we wish to maintain their historical and sociological structure. They leap into light with the clash of events and the significance that these reveal.

At the time of Luther's first attempts at rebellion, Germany, divided into so many principalities, was moving towards a unitary administration through the efforts of Maximilian of Hapsburg—a customs union, a single coinage and a single court of Justice. On the death of Maximilian, in January, 1519, the only serious claimant of the House of Hapsburg was Charles, Duke of Ghent, who had become King of Aragon and Castille. Francis I of France was his rival to the Empire, and became his most constant and powerful enemy. Pope Leo X opposed Charles, just as Clement VII would oppose him; both were of the House of Medici.

On becoming Emperor, Charles, as Charles V, found he had to face simultaneously Luther's revolt, the French, the Turks, the Pope, and domestic revolts in his States. It is a great mistake to think of Charles V as a medieval Emperor. He was above all the sovereign of many States that had no common interests to bind them together other than their relationship to the House of Hapsburg. In Germany he was the most powerful of the princes and also Emperor: the Lutheran revolt struck a mortal blow at the imperial unity.

Luther at the time was caressing the idea of a mission for the general reform of the Church, starting from Germany and spreading to all

Christendom, and, in the exalted state of mind of the early reformers, this was believed a possibility. But the resistance of Rome and of the Emperor and of large zones of the German population, such as Bavaria, Austria and the Rhineland, showed at once the vanity of such a dream. Therefore, as we have seen, Luther turned to fixing the boundaries of the reformed Church according to the boundaries of the various States, resting it entirely on the political authority. In any case, the contempt of the Lutherans for the Latin peoples and for humanistic and Mediterranean culture and civilisation, especially that of Italy, ruled out the possibility of a spiritual convergence covering the whole of the West.

Leo X, after sending to Germany the famous Cardinal Cajetan (1518), after summoning Luther himself to Rome to retract (1519), and finding that the path of persuasion led nowhere, in June, 1520, condemned him as heretic and demanded either a retractation or that he should be captured and handed over within sixty days. In agreement with the Pope, the new Emperor summoned the Diet of Worms, over which he presided with the aid of the papal representatives, Caracciolo the Nunzio, and the Envoy Extraordinary, Girolamo Aleandro; it was hoped that Germany would be brought back to religious unity. But Luther did not retract, and, put under the ban of the Empire, took refuge in Thuringia, where no one dared molest him. Charles V in the meantime had achieved his purpose, that of gaining the alliance of the Pope against Francis I. He did not wish to carry his action against Luther and the princes who defended him to too great lengths, in order not to disturb the delicate situation in Germany by turning the dissident princes towards France.

Leo X dies. The Dutchman, Adrien Dedel, the tutor of Charles V, who succeeds him under the name of Adrian VI, with excellent projects of church reform, holds the Papacy for only twenty months, and is unable to check the Lutheran reform by a single step. Clement VII, elected Pope after Adrian, continues the policy of oscillation between France and the Empire, thus rendering the policy of Charles still more complicated. The latter is still a hesitant young man, under the control and guidance of ministers. The trend of his policy is mainly Spanish. The wars against Francis I are hegemonic wars between France and Spain. The stakes are Italy, the Mediterranean, European influence, the

rule of the Ocean. Henry VIII of England also oscillates between France and Spain. Francis I, so long as he can fight victoriously against Charles, has no scruples about favouring the Protestant princes and allying himself with the Turk. Charles for his part, and his ministers and generals, subordinating religious interests to those of the House of Hapsburg and the demands of the wars in various parts of the Empire, continue to pursue a policy of compromises, swinging now towards this side, now towards that; this would render the general situation more and more difficult.

In that tangle of hegemonic interests, of unbridled passions, of culpable weakness, of fear of the growing Ottoman power which menaced Europe, the problem of Luther, though it touched both Pope and Emperor nearly, took second place. What is more, it seemed a useful weapon for the enemies of the Emperor and of the Pope, by which to hold in check one or the other or even both at once, in the decisive moments of conflicting policies.

This notwithstanding, the Roman Curia strove to find some possible solution to the German religious crisis. The Second Diet of Nuremberg in 1524 called for the convocation of a universal Council at Spires. Campeggio, the papal Legate, favours the proposal and Rome consents, but the Emperor opposes it, alleging rights and privileges. Francis I is beaten at Pavia (1525); a prisoner in Madrid, he is forced to sign peace (1526). It is the moment for Charles, now secure where France is concerned, to repress the rebellion of the German princes. But Francis, breaking the treaty, forms the anti-imperial League of Cambrai, and Clement VII is of the League. At the same time, the German princes favourable to Luther assemble at Torgau and sign a covenant of alliance to defend 'the Gospel'. Charles V, realising that he is in a tight corner, agrees to the decision of the Diet of Spires (August, 1526) that the ban pronounced against Luther at Worms shall not be enforced, that his life shall be respected and that his propaganda in Germany shall be permitted till the Council or a National Assembly has been called. At the same time he sends the Constable of Bourbon into Italy with a strong army; though the Constable is killed at the gates of Rome the city is sacked and the Pope made prisoner (May, 1527).

To the popular mind, excited by the Lutheran revolt and by the anti-

Roman spirit that was breathing everywhere, the sack of Rome (new Babylon) appeared the chastisement of God upon the Harlot who had prevaricated in the avarice and lechery of popes and Curia. Clement VII, too, in his address to the Cardinals in April, 1528, spoke of the sack of Rome as a punishment for his sins, and urged the need for reforms. In spite of all his efforts, these remained at the stage of projects. The College of Cardinals was more political than religious. The interests of the States of the Church and of the other Italian States that were bound to her by feudal or historical rights or for reasons of family policy, besides the States opposed to her, were a net in which popes and cardinals with their kinships and alliances were all held fast. The conflict of such interests widened to France, Spain and the Empire, for ever since the expedition of Charles VIII of France in 1498, Italy had become a constant battle-field and the prey of the foreigner. No Emperor succeeded as Charles V succeeded in dominating, directly or indirectly, the greater part of the peninsula.

Clement VII wished to claim as part of the Papal State not only Ravenna and Cervia, which were occupied by the Venetians, but Parma and Modena, in the possession of the Duke of Ferrara, Alphonso d'Este, and at the same time he would restore the Medici to the lordship of Florence. It was for these reasons that he had oscillated between the Emperor and Francis I, and, indeed, had favoured the Frenchman till, after the Sack of Rome, he decided to make peace with Charles. The Treaty of Barcelona of June, 1529, recognised these and other papal claims. The Emperor obtained the right to nominate the bishops of the kingdom of Naples, and consented to recognition of the Holy See's feudal right over that kingdom, in token of which he undertook that the Pope should yearly receive the famous *chinea*, the white mule.

This peace was followed by the Treaty of Cambrai between Charles V and Francis I (August, 1529); then comes Charles's meeting with the Pope, his coronation at Bologna in February, 1530, and the signing of peace between the Pope and Alphonso of Ferrara. At the same time there is the imperial expedition against Perugia and its capitulation, the restitution to the Pope of Civitavecchia and Orte, and the siege of Florence. In Florence the spirit of Savonarola revives; the city defends the republic and resists the Pope. But the imperial troops

are victorious, the Medici are reinstated, with atrocious reprisals. The Pope causes Alexander dei Medici to be appointed Duke of Florence, President of the Republic for life, with right of succession, and makes Florence subject to the Empire (1530-1).

A contributory motive for the understanding between Pope and Emperor was the threatening pressure of the Turks. After the Treaty of Barcelona, Clement thinks the moment has come to call a Crusade, but the result is negligible and the Crescent advances as far as Buda. The situation in Germany is no better. Luther is still in hiding in Coburg; there seems a possibility that an understanding will be reached at the Diet of Augsburg, which is summoned for June, 1530. But it was precisely then that the *Confession* of Augsburg was formulated, forming the basis of Protestantism. The Catholics replied by the *Confutation*, and no agreement could be reached. The dissident princes, thinking that they could preserve their autonomy only by resisting the Emperor, gathered together at Schmalkalden, where they formed the Schmalkaldic League. In the meantime, Clement was once more drawing towards France. There were certain matters in dispute between him and Charles V, and, what was more, the marriage of his niece, Catherine de' Medici, with the Duke of Orleans, was already in view. The Emperor, faced with fresh hostilities on the part of France and the Pope, and with the advance of the Turks, temporised with the Schmalkaldic League and came to terms in the Diet of Nuremberg, in the course of which the German Consistorial Church was established.

The situation was becoming more and more embroiled and uncertain. Anxieties were increasing. Many bishops and religious-minded men, religious Orders old and new, Clement himself and not a few of the Cardinals felt the urgent need for a reform of the Church in a Catholic sense and for a clarification of dogma in the face of the many affirmations that were held to be heretical (and were so, for the most part, according to traditional theology). They therefore called for the summoning of a General Council. The Germans demanded that it should meet in a German city; the Pope wanted it to be in Italy, at Verona, Mantua or Padua; Charles V was for Trent. In the midst of these disputes, which were largely premature, for nothing serious had been done to prepare the Council, Clement VII died, in the same

year that England went into schism. He was succeeded by Cardinal Alexander Farnese, who took the name of Paul III.

With Paul III the will for reform becomes firmer and more decided, but practical difficulties seem stronger than his will and unhappily his nepotism diminished the value of his efforts and the good results of his labours. Before calling the Council he would see a reform of the Curia; to this end he appoints two commissions and prepares the draft of a Bull, but the Cardinals are against it. Paul seeks to over-rule them by nominating new Cardinals, among them Bellay, the Archbishop of Paris, Fisher, Bishop of Rochester, and the famous Contarini of Venice, who was then a layman but already in high fame. There are fresh commissions, fresh difficulties. The Pope delays no longer and in June, 1535, summons the Council for May, 1537, at Mantua, while in order to strengthen the conciliar and reforming parties he appoints yet other Cardinals, among them Caraffa (later, Paul IV), De Monte (later Julius III) and the celebrated Sadoleto and Pole.

The Council of Mantua was postponed at the last moment, because the prince, Gonzaga, declared he could not guarantee public order and the safety of the Cardinals, and asked for police reinforcements from the Pope. The latter refused to send them, in order not to appear to intimidate the Council, This was again postponed and was summoned to meet in the following November, in Vicenza. But opposition to the Council came from every side. Francis I, Henry VIII, the Schmalkaldic League were against it, for one reason or another. Charles V showed himself hesitant and undecided. The Pope continued to fix new dates for the Council and to appoint new Cardinals till, as though vanquished by the difficulties, in May, 1539, he postponed it *sine die*.

The Council plan having failed, Charles V accepted the proposal of a new Diet, which, after various delays, was held at Ratisbon, with the intervention of Cardinal Contarini as Papal Legate. He was a man of open mind and inflexible character, and a firm supporter of the Catholic reform. He was on the lines of Cardinal Pole, of Morone and of the many Italians (among them Vittoria Colonna) who sought to escape from a rigidity in the traditional Catholicism, and to approach—in so far as this was possible on the plane of interpretation—the thought of the reformers. At Ratisbon, Contarini put forward the theory of a

two-fold justification, the one through the faith that invests, purifies and supernaturalises nature, and the other, the justice of Christ, a divine gift given to the soul but not inherent in it. Neither Catholics nor Protestants felt enthusiastic over this theory, which would be rejected by the Council of Trent. A commission of three Catholics and three Protestants appointed by the Diet drew up six articles, but on the theme of Transubstantiation their agreement broke down. Then Charles V issued an edict, known as the *Ratisbon Interim*, in which he took note of the agreement on the first five points and referred the sixth to the General Council. He was hard-pressed by the advance of the Turks on Buda. After an encounter with Paul III, he went on his unlucky expedition against Algiers, when the whole of his fleet was destroyed.

Francis I seized the opportunity to renew his offensive against his eternal enemy. This made the Pope hesitate, both because of the general situation and because of the political interests of his son Pier Luigi and his grandson Ottavio. The Council was summoned to meet at Trent on November 1, 1542, and Charles, with the threat of bringing the Council to nothing, insisted that the Pope should abandon his neutrality and declare himself against Francis. Paul III would suffer no intimidation, and appointed the Cardinals Pole, Parisi and Morone to be his legates at Trent. Hardly anyone appeared at the Council. Indifference on the one hand, suspicions and political interests on the other, with the opposition of various princes and the wars raging all over Europe, forced the Pope to yet another postponement. In the meantime, with the commissions of Cardinals, he had begun the reform of the Curia, and by direct acts of his authority he created the central office of the Roman Inquisition in 1542 and the following year started the Index of forbidden books.

Charles for his part, having to propitiate the Protestant princes of Germany in view of the other wars in various parts of the Empire, made fresh concessions in favour of the Lutheran reform, to the intense resentment of the Pope. Finally, in September, 1544, the Peace of Crépy was signed between Charles and Francis, and an *entente* was established for the appeasement and unification of Christendom. Paul III could now call the Council, which, convoked to assemble in March, 1545,

opened at Trent in the following November. Unfortunately the Council was too late. The Protestants were not represented. Melancthon had written the year before that it was impossible to go back upon the past: 'already ten thousand married monks and friars form, with their biblical propaganda, the firm and unshakable fulcrum of the reformed community.'

All this anti-ecclesiastical, anti-Roman and anti-Catholic movement had awakened among Catholics an intellectual and moral revival, both as resistance and as counter-offensive; this had brought a fervour of study, an activity of work that served to rouse the sluggish and to stimulate the zeal of the others, quickening a faith that had seemed almost extinct. If the political domain was a turmoil of interests and passions that assumed gigantic form in the axial clash between Charles V and Francis I, if the Roman Curia, though holding fast to dogma and tradition, wavered over means of reform and in its political attitudes, the mystical currents with their new enterprises, the intellectuals by their studies, the artists by their works, brought into the Church the leaven of a new spirit that was like a rebirth.

In the sphere of church reform and pastoral zeal, in 1524 came the Order of the Theatines or Clerks Regular, founded by St. Gaetano Tiene, who had been at the court of Julius II. In 1528 the Capucines were founded by Mathew Bassi. In 1532 St. Anthony Mary Zaccary founds the Barnabites. St. Ignatius of Loyola founds the Company of Jesus in 1534, St. Angela Merici, in 1535, the Ursulines, and in 1540 the Somascians are founded by St. Jerome Emiliani.

These new troops and others that would be formed in the second half of the XVI century—among the most noted being the Oratorians of St. Philip Neri (1564), the Brothers Hospitallers of St. John of God (1564), the Camillines of St. Camillo de Lellis (1586) and the Piarists of St. Joseph Calasanzio (1597)—came from below, from the multitude of the faithful, and inserted themselves among the Catholic clergy with the characteristics of the spiritual and mystical currents which, contained within the bounds of orthodoxy, have always been fruitful of good in the Church. These differed from those of the past in their main task of apostolic activity and practical works among the faithful. They would no longer have an office in common, nor cloistered life;

in their religious Orders they realise the individualistic spirit of humanism together with the corporative spirit of the Middle Ages. Hence a discipline at once rigorous and mild, a personal and collective responsibility, a training suited to the qualities of the individuals and to the manifold ends of the community. And whereas the old Orders abounded in wealth and had become lax in discipline, the new championed a poverty without exaggerations but also without fictions or privileges. And at a time when many friars and monks failed in their subjection to Rome, the new ones rose up as an aid to the Papacy, which was seeking to regain its moral position and its religious influence in the Catholic world.

Among the new foundations that of the Company of Jesus soon towered above the rest, through its discipline, numbers and activity and through a group of religious of the highest order in culture, apostolic zeal and eminent sanctity. Besides the founder, whose organising genius and whose sanctity, at once active and contemplative, were so outstanding, the names of Francis Xavier, the Apostle of India, Francis Borgia, Peter Canisius, Robert Bellarmin, are universally known; all were saints and great men. The Jesuit theologians soon rival the Dominicans, Franciscans and Augustinians. The activity that placed them at once in the midst of the people was one of spiritual and temporal assistance, particularly in Rome, where luxury mingled with wretchedness, virtue with vice, wisdom with ignorance. In a period when the rapid and virulent spread of venereal disease showed visible effects, Ignatius began his work by a home for fallen women and a radical fight against public prostitution.

Forsaken children, unemployed workers, beggars without resources, fallen women, the sick in the hospitals, the neglected dying found help and succour from the pioneers of the various new Orders that were arising, while the churches, all but abandoned or ill-kept, awoke to new life. The rites of worship regained their splendour, and souls thirsting for a living and substantial word found in the new Orders confessors, preachers, masters, directors and friends. Their poverty, simplicity, purity made them everywhere an example to clergy and faithful, while their devotion to the Catholic Church and their defence of her dogmas repaired the spread of heresy and formed lines of resist-

ance and defence. The new institutions, starting from Rome and Italy, spread everywhere, bringing a new breath of spiritual life. The old Orders, too, either in the face of the peril of heresy, or through the desertion of many convents, especially in the Northern countries, or through the example of the new-comers, pressure from the faithful, and a public opinion oriented towards a reform of morals, return to life with renewed discipline. They had never failed to produce men of the highest order, in sanctity, sacred sciences and preaching. The great Carmelite and Franciscan reforms of the second half of the century are associated with the names of St. Teresa of Avila, St. John of the Cross and St. Peter of Alcantara.

Before this religious movement of spontaneous reform a wide intellectual movement had taken shape in the domain of sacred studies, such as to renovate decadent scholasticism and the inadequate textual criticism of the Scriptures and patristic writings. This movement is linked up with the humanism and theology and philosophy of the previous century, and thus with the great names of Cardinal da Cusa, St. Antoninus of Florence, Cardinal Cesarini, Marsilio Ficino, Savonarola. With the invention of printing, a revision of the sacred texts became urgent. At a moment when the heretical current was basing itself on the Scriptures, the need for a revision of the Vulgate and of the Greek texts was felt by all.

To this task Erasmus of Rotterdam dedicated himself, the most celebrated of the humanists and the most temperate of the reformers. He wanted a return to the Bible and to a wider diffusion of the text of the Gospel. 'The surest means of restoring and consolidating religion is that the faithful should hold fully to the wisdom of Christ, and that before all else they should learn to know the Master's thought in the books where the celestial word still lives and breathes.' Thus his preface to his *Annotationes in Novum Testamentum*, published in 1519. Erasmus's comments on the scriptural text seek to place the figure of Christ in the historical environment in which He lived, laying greater emphasis on the Incarnation and on love for His humanity. Erasmus was responsible for the edition of the Greek and Latin Fathers which Frober of Basel now started to publish, amid the applause of the learned and of the churchmen of the period.

He was the object of recriminations, criticism and attacks; he was too great for it to have been otherwise; he himself had used a biting criticism and satire. In the *Praise of Folly* (written in the house of his friend Thomas More, to whom it was dedicated) and in other writings he had bitterly attacked bigoted piety, verbal scholasticism and the temporal Papacy. He had not spared the friars and monks, he himself an Augustinian monk who had won permission from the Pope to remain outside the cloister and wear no habit. His criticisms were not wholly free from exaggeration, and some of his theses might seem hazardous, even before the Council of Trent. At the beginning of Luther's reform, he had been believed favourable to that movement; although adverse to verbal violence and acts of rebellion, he thought that some good might come of it. This did not lead him away from Catholicism. Through his exceptional position in European culture and through his friendship with Pope Leo X, he sought to induce the Church and Catholic writers and preachers to be less bitter in their polemics and more disposed for great reforms.

His correspondence with Leo X, Adrian VI and Clement VII on resistance to heresy, on the reform of the Church, and on peace is interesting as indicating his theoretical and practical outlook on religious and moral questions. His letter addressed to Clement VII closed with the following period, which might seem a warning: 'Believe me, you will outstrip the glory of all your predecessors, if Your Holiness will appease the tumult of wars and of discord. You will be able to succeed if, on the one hand, you show yourself just to all princes, and on the other, disposed to change certain things that ought to be changed for the good of religion.' Seeing how Clement was supporting Charles V against Francis, Erasmus wrote: 'It is not for the Pope, who is the father of all, to conclude alliances with this man or that, but to maintain an equable concord among all.'

This spirit of equilibrium, moderation and good sense, which to the one side inclined towards rationalism and a humanistic reform, and on the other, holding fast to the fundamental dogmas, blamed the excesses of the reformers, could please neither the Lutherans nor the Catholics, involved as they were in a fight to the death. Both wanted him to pronounce himself clearly for one side or the other. His enemies

said that he was a Protestant at heart and that he cherished the advantages of remaining a Catholic. But he never wished to overstep his role of humanist and man of letters and culture, till, angered by Luther's book *De Servo Arbitrio*, he decided in 1524 to publish his reply, *De Libero Arbitrio*. He thus broke off his relations with the reformers, but he never abandoned his spirit of moderation and his character as a scholar.

He continued his critical and humanistic works, which had so great an influence on the culture of the time. His last publication was the *Liber pius de preparatione ad mortem*, in 1534. By then he had seen the collapse of everything from which he had hoped a religious rebirth, an appeasement of nations, and a new orientation of the Papacy. In that climate of struggles, revolts, wars, an ebullition of all the collective passions, it was impossible for the voice of moderation and good sense to be heard and acted upon, unless men's minds were prepared by an inward reform of morals and an intimate spirituality had grown up, beginning from below. To this Erasmus certainly contributed, and not only he but the whole pleiad of religious writers, Catholic humanists, intelligent and modern theologians, who had no fear of either textual criticism or history. These prepared the new currents of thought in the bosom of the Church. When all the political and practical difficulties had been overcome, and the Council of Trent could begin at last, we find a phalanx of theologians, philosophers and learned men who were able to contribute much to the formulation and solution of the arduous problems it treated. We find too in nearly every country and in the various strata of European culture a greater preparation, traditional indeed, but rejuvenated and invigorated by controversy with the reformers and by the necessity of going forth to meet the spiritual revival represented by the new religious Orders and their affiliations.

With this revival is connected the religious movement in art, which from Savonarola onwards had found a new expression, suited to the two-fold spiritual and humanistic movement of ascetic reform and of human exigencies interpreted in a Catholic sense. The religious art of the XVI century was not an exterior art, concerned with the pure quest for beauty in the expression of a humanised religion and a mythicized

humanity. Here is one of those ready-made ideas that historical criticism and art criticism are now demolishing. The Lutheran reformation put a brutal stop to all religious art, destroyed paintings and statues, and froze the artistic conception of faith in the same way as it separated the political world and all human works from faith, reducing it to a solitary inner flame. The spiritual revival of Catholicism had on the contrary a decisive influence on religious art. It is true that the pagan myth continued to adorn the walls and ceilings of palaces and its allegories reached the threshold of the churches and even penetrated within, yet its general trend was to reveal human sentiments, the value of beauty and a sound and noble nature. In the endeavour to associate that part of nature that can be raised to a higher order with the religious mystery of sin and redemption, in a harmony of the two lives, natural and supernatural, lies the profound significance of cinque cento art. Its protagonist is Michelangelo, like Dante in genius, who, like Dante could bring out human grandeur and divine revelation. The Last Judgment of the Sistine chapel is the greatest poem ever written with colour and paint-brush.

The spiritual revival of Catholicism, at once mystical and active, theological and critical, humanistic and artistic, marks the beginning of recovery from the profound crisis into which the Church had fallen. But while spiritual life once again flows and circulates in the Catholic body, the structural situation of the Church, politically and economically, and her relations with the princes that had remained Catholic showed the greatest disorder and were complicated by the gravest difficulties. Local hierarchies were disorganised. Concordats no longer held good or were no longer observed. The kings and princes appointed their favourites as bishops, abbots or abbesses, and gave benefices *in commendum* even to soldiers or to ladies anything but fitted to be the representatives of nuns. The discipline of many ancient monasteries was such that, in the first years of the pontificate of Paul III, a Cardinal suggested forbidding any novice to be received in them till that generation of monks and nuns had died out and the intrigues and interference of the princes could be abolished.

But the popes were involved in the wars of Europe and made wide concessions in matters of Canon Law, now to one side, now to the

other, according to political happenings and the prevailing interests of war or peace (as with Charles V over the clergy of Spain and Naples), so that the question became more and more complicated. It was almost impossible for the popes to resist the kings, and the attitude of Clement VII towards the divorce of Henry VIII of England was the beginning of the schism and subsequently of the Protestantism of Great Britain. We do not say this to blame Clement—even though his conduct in the matter was overshadowed by political considerations—but in order to show in what a tragic tangle the Church of Rome found herself, and how in such conditions only a Council could restore to the Pope himself all his authority and liberty and re-establish on clearer lines the troubled and intricate relations between the Church and the States.

§ 28.—In November, 1545, the Council of Trent opened. The first sessions were sparsely attended; distrust was widespread in the Catholic camp and even among ecclesiastics; suspicion and opposition reigned in the courts of the various States and about the Emperor. The Protestants, knowing the spirit of resistance in the Catholic episcopate to their profound innovations in dogma and discipline, not only took no part but began to attack the Council fiercely. There was a middle stream, of those who sought for a line of convergence between Catholics and Protestants, especially after Luther's death (1546). To this end at Trent a party had formed itself which wished the council to postpone dogmatic decision to a later period and to begin only with the disciplinary questions. Charles V was of these ideas. He indeed maintained the thesis that in the Germanic countries that had remained Catholic the widest toleration should be granted to Protestants, in order that the rupture should not be rendered final. But this policy was blamed by Paul III, who accused the Emperor of breaking his engagements. There was then much resentment in Rome against Charles V and a continuous oscillation between the various political currents, especially after Henry II of France renewed the struggle of his father, Francis, against the Hapsburg. Paul III complained that the Emperor wanted to have all Italy at his free disposal, to secularise Spain, to give his orders at Trent, and to judge the great German religious controversy at his own tribunal.

While Charles would have wished the Council to suspend its dog-

matic decisions, the Roman Curia was pressing for it to suspend disciplinary measures. Not that Paul III was against the reform of the Church, indeed it was he who had been the first to make serious reforms in the administration of the Holy See and to create the Roman Inquisition and the Index. He feared the various Courts that had remained Catholic and the opposition of the clergy themselves of the different States, and would have wished for a prudent and wary procedure. But the Council Fathers assembled at Trent, and even the papal Legates, saw the danger of separating the dogmatic part from the disciplinary, and decided to discuss the two alternately—especially since, with the failure of the conversations of Ratisbon, as the Emperor's last endeavour to reconcile Catholics and Protestants (February, 1546), there could be no reason for further delays.

The Council little by little came to life. Bishops and advisers came from France and England and from other parts of Europe; the religious Orders asserted themselves, with men of eminent culture and piety. With the alternation of dogmatic and disciplinary decisions a really constructive work began. This helped to give confidence to the reforming and mystical streams which were gaining ground more and more in the Catholic Church; they brought the influence of their culture and zeal to bear, to dissipate the political, worldly and time-serving tendencies that were developing both within the Council and on its margins, through the intrigues of the Courts and of the court bishops. None the less, after a few months of work, opposition to the Council revived, stronger than ever. Charles V himself questioned its authority. Many refused to consider it as oecumenical. A section of the clergy followed the policies of their own States, now favourable, now adverse. There arose a demand for suspension or adjournment. The wars in Germany and Italy were still raging, the former of a religious character, the latter exclusively political. There were also epidemics. It was decided to transfer the Council to Bologna, but the partisans of the Emperor and others, on the side of the Pope, remained in Trent to prepare its further labours. The Council, carried to Bologna, was obliged, after its June session, to adjourn indefinitely. Thus its first period closed.

Charles V, after his victory at Mühlberg over the Schmalkaldic League (1547), needed to reach an understanding with his German

adversaries in order to be free for his wars elsewhere. In view, therefore, of the adjournment of the Council and of the impossibility of bringing the Protestants within its compass, he summoned the Diet of Augsburg, where a *modus vivendi* was settled. The Protestants were to be allowed a non-celibate clergy and communion under both kinds, while on the other hand, the Catholic hierarchy and rites were restored where they had ceased to exist, and the fasts and feasts of the Roman Calendar were reinstalled. Paul III condemned the *modus vivendi*. In spite of this it came into force through the authority of the Emperor and lasted till the Protestant princes could once more raise their heads.

The second period of the Council of Trent, summoned anew by Julius III who succeeded Paul III, runs from May, 1551 to April, 1553. The difficulties were enormous. The French delegates failed to appear. Henry II of France was hostile, and went so far as to threaten the Pope through his ambassador to call a national council himself and to see to the reform of his own clergy. The Spanish delegates were on the side of the Emperor. The latter wanted the Protestants to take part in the Council. A few delegations actually came, but they demanded that the decrees already issued by the Council of Paul III should be discussed all over again, and this neither the papal delegates nor the conciliar assembly could allow. Thus Charles's new endeavour ended in failure.

The Council, in the midst of party difficulties and political intrigues, continued to examine the question of the Sacraments and decisions for reform; but the war that had broken out over the duchies of Parma and Piacenza had spread through nearly the whole of Northern Italy and made communications between Rome and Trent extremely difficult. In such a war—which, in substance, was fought between Henry II of France, whom the Duke Ottavio Farnese had called in to help him, and the Emperor Charles V—the Pope was involved through his temporal rights over Parma and his investiture of Ottavio Farnese with the duchy and with the office of Gonfaloniere of the Roman Church. At this moment, reversing the situation completely, came the treachery and revolt of Maurice of Saxony against Charles; thus war broke out in Germany. The Council was suspended and Julius III could not revive it. He thought to bring the Council Fathers to Rome, to collaborate with him in the reform of the Church, but they distrusted the Roman

environment and replied in the negative. Thus two years passed, till the death of Julius. His successor, Marcel II, would have been a great pope, but he held the pontificate only for twenty-two days, and was succeeded by Paul IV (Carafa), who gave no further thought to the Council.

Paul IV came into the Papacy when Charles V, after accepting the (for him) humiliating Convention of Passau, in which he granted the Protestants full and entire freedom of worship till the next Diet, was about to sign the Peace of Augsburg (August–September, 1555), which established the principle of compulsory State religions—*cuius regio illius et religio*. The religious and political severance of the Protestants from the Empire was now complete. Paul IV was by temperament contrary to all long discussions; filled with zeal for reform he thought that he could bring it about by piling decrees on decrees, by strong measures and by a reign of terror. Unfortunately he fell into the hands of his relatives and nephews, who not only frustrated all his efforts at reform, but created about him an atmosphere of scandal, simony, financial corruption and armed intimidation; of all this the holy old man remained unaware. The 'Cardinal-Nephew,' Carlo Caraffa, Secretary of State, was one of the gang; to obtain dominion over Siena he provoked the disastrous war between the Holy See and Charles V. When the Pope learned what was happening, from the Florentine Agent, Gianfigliazzi, he made a clean sweep of his nephews and their followers, and showed himself inexorable to all. His temperament led him to an exaggerated rigour, which indeed he practised first of all upon himself. He went so far as to suspect Cardinal Pole (who died just in time to escape imprisonment) and Morone, who had already been Legate at Trent, and who was isolated in the Castle of Sant' Angelo and subjected to a harsh inquisitorial examination till, on the death of Paul IV, he was set free with his innocence fully recognised.

The four years of the pontificate of Paul IV were a continual tempest, so that at his death all sought a peace-making pope, who would reopen the Council and restore confidence to the hierarchy of all countries in a Rome inspired by prudence, conciliation and reform. The new Pope was Pius IV. The victory of the Emperor's arms at Saint Quentin in 1557, the abdication and death of Charles V, the subsequent Peace of Cateau-Cambrésis (1559) and the death of Henry II of France had

allowed a certain respite in the turbulent affairs of European politics. The first difficulty that Pius IV had to overcome regarded Ferdinand, who had succeeded Charles V as Emperor. Paul IV had not wished to recognise him as Emperor because he had signed the Passau Convention and the Peace of Augsburg. The new Pope showed himself ready to give his assent if Ferdinand would give adequate assurances of a Catholic attitude in regard to the Protestant conflict and to the education in the Catholic faith of his son and heir Maximilian. Ferdinand declared that the conventions signed had been merely 'interims' pending the decisions of the Council, and gave the requisite assurances on the religious upbringing of Maximilian. This eased the way for a *rapprochement* between Pope and Emperor, but the Council was still a very long way off.

Ferdinand wanted a fresh Council, that would not meet at Trent. Philip II of Spain (who had here succeeded his father, Charles V) demanded instead an assurance that the new Council would be merely a continuation of the Council of Paul III and Julius III. But while the Protestant part of Germany and of the Baltic countries could now be looked upon as lost, and England, under Elizabeth, was taking the decisive step of severance, France had become the neuralgic point of the situation. The Huguenots had advanced prodigiously; in various provinces they dominated completely, and the quarrels between Catholics and Protestants were acute. Francis II wanted to settle them amicably, in a national council. There was, however, the party that wished to avoid a national council (which would have been very dangerous) by the convocation of the General Council, and therefore it urged Rome to make a speedy decision.

The three years that preceded the opening of the Council were full of grave vicissitudes, and it needed all the moderation and diplomacy of Pius IV and his able collaborators, and his firmness in willing the Council, and, in substance, of willing its continuation, to make it possible, in the midst of conflicts, mistrust and also of questions of punctilio, for it to reopen at Trent on January 18, 1562. The Protestants, who were invited, did not intervene, taking their stand on the negative decision of the princes who supported them, who had met at Namburg. In any case, no one could delude himself into believing

that an understanding was now possible. Neither direct nor indirect endeavours, with the Calvinists, Anglicans and the various Swiss confessions and with those of Bohemia and Hungary, had any result. The Council of Trent from the beginning was always confined to Catholics, and the dissidents took no part in it. The Catholic princes sent their representatives with various reservations, concerning not only their rights but their attitude, towards Protestantism. The French clergy arrived in Trent very late; little by little all countries had their representatives there. The debates were not easy; their course from time to time grew tempestuous. Discussion bore on the themes of the Mass, Ordination, Matrimony, Purgatory, the cult of Saints, interspersed with decisions on reform of discipline, till, by speeding up its business, the Council could be declared closed on December 4, 1563.

In this final phase three men of outstanding character played their part. Cardinal Morone, after the death of the two chief Legates, Gonzaga and Seripante, took their place and was able to steer the Council to harbour, at a time when it seemed in danger of sinking through the intrigues of Philip II, the oscillations of the Emperor Ferdinand, the opposition of the Court of France, and the inevitable dissensions among the bishops. Morone had been one of the most authoritative papal legates of the first and second periods of the Council. Though tried by Paul IV on suspicion of heresy, he came back more respected than before, as the most authorised defender of Catholicism, the Pope's confidential agent, highly esteemed by the Emperor and respected by the other reigning houses and by the whole Council. None the less he represented an age that was already of the past, that of the men of learning and wisdom, moderates, reformers, enlightened Catholics. Trent saw the flower of them, among the greatest being Contarini, who died too soon. All were true Catholic humanists, whose labours were not in vain, but whose idea, that of an understanding with the Protestants, could not be realised. The gulf was too wide to be spanned, and, moreover, the policy of the Courts and the conditions of the Papacy presented too grave an obstacle.

Those who represented the future were, among others, two interesting figures, to whom in large measure the Council of Pius IV owed its success. The first was Cardinal Charles Borromeo, the second Father

Laynez, General of the Jesuits. Cardinal Borromeo, appointed Secretary of State at the age of twenty-three by his uncle Pius IV, was not like the usual Cardinal-nephews, men of the world and intriguers who subordinated the interests of the Holy See to those of their own fortune or that of their families. No man more disinterested, hard-working and scrupulous in the fulfilment of his charge had ever occupied the post. Intelligent, cultured, zealous, his collaboration eased the relations between the Pope and the Council, between the Pope and the various Courts; he helped to give an impetus to the reform of the Curia by his advice and his example. Contemporaries perceived the importance of this young Cardinal only when, leaving Rome, he gave himself up to the care of his Archbishopric of Milan, leaving an indelible imprint as shepherd of souls, father of the people, defender of the faith and one who aroused heroic virtues. He was the type of pastor that had arisen in the spiritual renaissance of Rome with Gaetano Thiene, Ignatius of Loyola, Philip Neri and all that pleiad of saints who lived in the midst of the Roman people, reawakening them to virtue. He incarnated the spirit of the Council of Trent for the reform of the episcopate and of the Cardinals, and he became its most signal and revered figure, soon to be counted among the saints.

Father Laynez took part in the Council of Trent first as theologian and then also as General of the Jesuits, signing its decisions in this quality. He was one of the orators who were most readily heard. His speeches, on the long side, were always clear, interesting, theologically sound and often effective. Not all that he said pleased or mirrored the mind of the assembly, divided as it was in its practical trends and even in its theological premises, but to all he said he brought an enlightened knowledge and a profound conviction. Laynez may be considered the strongest representative of papal monarchism, the defender of the principle of authority; he was hostile to the electoral bodies and went so far as to say that in regard to bishops he preferred appointment by the king to appointment by cathedral chapters and assemblies. Behind him he had the Company, which was then beginning its ascendancy and its wide influence in society, among both aristocracy and people, and which already awakened jealousy, mistrust and opposition. This would grow in Rome with the first attempts to apply the reform to the Curia,

for the Jesuits, who were called in to co-operate, applied so much zeal to the recalcitrant as to give the impression rather of police work than of religious discipline. At Trent not a few Gallican bishops and even Roman ones already felt that the Company was a reinforcement of the Papacy.

Outward events and the agitated course of discussions, between the various tendencies of the episcopate, the political anxieties of Rome, the intervention of the Emperor and of the courts of France and Spain, did not prevent the Council from achieving a good part of its work, or from accomplishing it in so effective and permanent a form as to leave its mark on the Catholicism of the succeeding period and make its effects felt up to our own times. In the whole of Church history there is no council that by its acts excercised so prolonged and permanent an influence on the Church, except, perhaps, the first oecumenical councils, and these had not to deal with all the intricate web of legislative, dogmatic and disciplinary matters that formed the object of the Council of Trent. For those who still hoped that a General Council would restore peace between Catholics and Protestants by theoretical and practical compromise, Trent was a disappointment. Perhaps a Council held twenty years earlier, with the aim of a clarification of dogma and a real reform of morals, would have been in time to prevent the heretical currents from creating dissident churches. The Council of Trent was not a platform for an understanding with adversaries but a reinforcement of the Catholic party, which on a clearly defined plane was beginning to fight against the infiltration of errors into the countries that had remained faithful to Rome, setting up a barrier to Protestantism and schism. It was thus a starting-point for a reform of the clergy and for a better discipline in morals.

To this end, from the beginning the theory of grace and predestination were defined at Trent, as opposed to the Lutheran and Calvinist theories which had not only undermined the dogmas in question but had given society a different ethical basis. According to the Council, grace cancels original sin, creates in us supernatural life, and only by grace can we freely perform good works. Grace itself, either preserved after baptism or regained by penitence and fecundated by good works,

gives us a title to the eternal reward. Divine predestination is not in contradiction to personal merits. Grace cannot be acquired save by the application of the merits of Jesus Christ, by means of baptism either actually received or its desire, and subsequently by means of the Sacraments, administered by the Church. Faith alone without good works cannot operate our salvation.

At Trent three principles denied by Protestantism were reaffirmed: (*a*) The intermediation of the Church in the relations of man with God, a doctrinal and sacramental mediation, which not only does not destroy but perfects our direct contacts with God ; (*b*) the affirmation of free will and the necessity of good works as the practical outcome of faith, as an inward conformity to the divine precepts, and as a means of acquiring merits for the reward ; (*c*) the value of tradition, equal to that of Holy Scripture and interpreting Holy Scripture itself, both being authoritatively taught and defined by the magistracy of the teaching Church.

The consequences of these principles (apart from the other manifold decisions and measures of the Council), through the logic of their application, extended to social life and the relations between the power of the Church and that of the State. The doctrinal and sacramental mediation of the Church, between man and God, cut away the base of the individualistic principle of free inquiry and of the laicist principle that there was no hierarchic difference between the faithful and the priest and bishop. The hierarchic order of the Church led towards its autonomous organisation, independent of the secular power, while the affirmation of free will and the necessity of good works (as well as faith) for eternal salvation, resoldered the nexus between individual and inward morality and public or social morality, making the two one. By this very fact, the field of activity of the Church's teaching, doctrinal and practical, dogmatic and moral, extended to social and political activity, and hence the Church maintained implicitly her right to intervene over the secular power.

Although the problem of relations between Church and State was not directly faced, the principles contained in the capital decisions of the Council implied a re-assertion of their respective positions—the spiritual supremacy of the Church and a close collaboration with the

Catholic sovereigns, who as princes were held to be defenders of the faith, collaborators, supporters and protectors of the Church. This old conception, in view of the position, had become inconvenient to both Church and sovereigns. The Church had already found how easy it was for the princes in those conditions and with the idea of a national church to lead their peoples into schism and encourage heresy. The princes who wished to remain faithful to the Church had to reckon with vassals and subjects who rebelled, with fanatics who instigated sedition, and with court sympathies for the reformers, among whom were men of authority and genius, fervent for religion and for reform as they understood it, and able to arouse assent and enthusiasm in those about them.

The policy of conciliation, mingled with that of 'reason of State,' or of usefulness to the dynasty, was grafted on to a concern for the Church and for the faith according to the prevailing counsels of the local clergy, of bishops and cardinals who might be men of integrity or intriguing and evil; it was swayed now by the reaction of the Catholics and of the Pope, now by that of the Protestants in a wearisome see-saw, in which war and peace, assemblies and protests, interwove and developed with dizzying rapidity. The situation during the Council of Trent had not changed; indeed it had worsened in England and in Scotland with the advent of Elizabeth, in France with the Huguenot agitation, in Flanders with the government of Philip II, indeed everywhere, through the confusion of questions of religion and faith with purely political and dynastic ones, and questions of reform with economic and fiscal ones.

The Council of Trent had accomplished its labours with a vision of the supreme interests of the faith and of the Catholic reform, always in contact with the three Popes who summoned it and caused it to be guided by their legates, with a good number of bishops who were faithful, indeed attached, to the Holy See. None the less preoccupations in regard to the various courts, great and small, troubled bishops and delegates, and certain ambassadors, like the Count of Luna, ambassador of Philip II, held the episcopate of their countries in a real subjection. Yet the Council dropped the proposals that concerned the rights and duties of the heads of Catholic States, the so-called 'reform of princes,'

though this was an important point in the general plan. Everyone feared lest local privileges and the rights of the national clergies might be called in question, lest the authority of the sovereigns be challenged and respect for them lessened, and lest rights and privileges hallowed by usage or even acquired by abuse might be prejudiced. The best excuse was that the reform had to begin with Rome. Indeed from Paul III onwards the reform of the Curia was constantly sought. Paul IV went to extremes and therefore was the less effective. The action of Pius IV was wiser and more organic, yet not only did he fail to achieve a complete reform, but even he fell into certain abuses, such as appointing two youths aged fourteen and eighteen as court Cardinals. However, when the Council had ended, he was able to hold his own against the staff of the Curia and to enforce the execution of the Tridentine canons.

The true reason why the reform of princes was dropped at Trent was that the Church was not in a position to avert the danger of new national churches even in the countries that had remained Catholic. The clergies were too much bound to the sovereigns and too much concerned with their privileges, while the populations were divided and disquieting. The Papacy could count neither on clergy nor people and the orthodox mystical stream inclined towards a strengthening of the power of the Catholic sovereign in order to make a strong front against invading Protestantism. Although many had other views and wished to see the reform imposed on all, the princes included, they were forced to give way and to leave the question for Rome to deal with when the right time came. Cardinal Morone, in burying the proposals of reform, summed up the situation in these significant words: 'They (the princes) are men, not angels. We must deal with the princes as with the heretics, lead them to good by good examples and not by threats, proceeding in all things with wisdom, piety and Christian prudence.'

CHAPTER VIII

REFORMATION AND COUNTER-REFORMATION

SECOND PERIOD (1563–1648)

§ 29.—The second period of Reformation and Counter-Reformation may be bounded by the close of the Council of Trent (1563) and the Peace of Westphalia which put an end to the Thirty Years' War (1648). It is true that there is always something arbitrary and conventional in determining a period; history continues its process, a continuous interweaving of human wills and natural forces even when we believe there is a pause, and, as we say, a period has closed. But this practical manner of establishing the data of the historical process is not without foundation; certain series of events have characteristic elements, which give us the key to the enigma of their reality.

The first and natural duty of the post-Tridentine popes was to carry out the Counter-Reformation as decided at Trent, both through decisions of canon law and by safeguarding, spreading, and defending the doctrine formulated by the Council in the name of the Catholic Church. The popes were, therefore, bound to defend the Council itself as legitimate and oecumenical. Pius IV proceeded to give immediate approval to the Council, in spite of reservations and opposition on the part of Cardinals (which bore especially on certain faculties recognised to the bishops). He therefore issued the Bull of January, 1564, published the following June, with the usual request to Catholic sovereigns to 'receive the Council' in their States. This request corresponded to the legal usages of the period, and meant that the decisions of the Council had to be promulgated in each State as its own law, which, as such, obliged the secular jurisdiction to observe and enforce it and to respect the canonical rulings resulting from the Council.

Given the juridical system of the time, there is nothing to wonder at in either the acceptance or the resistance of the Catholic States. In

either case their attitude was determined mainly by practical considerations—how best to safeguard, in so far as was possible, the rights and customs of the secular power in the face of the ecclesiastical power, the legal, political and fiscal independence of the States from interference by the Papacy, the traditions of the local clergies, not to speak of papal privileges obtained (or extorted) by monarchs or clergy, against Roman centralisation.

The Catholic princes had kept a very watchful eye on Trent lest the decisions for reform should prejudice the rights of the secular power, and in great measure they were successful. All the same there was no lack of pretexts for reservations or even for sheer opposition to acceptance of the Council. Among its decrees was that excommunicating any secular authority (even a king or emperor) that authorised duelling in its dominions. There was the suppression of appeals *ab abusu*, that is, recourse to the secular authority against an alleged abuse on the part of the ecclesiastical authority. There was the abolition of the right to give benefices *in commendam*, and other minor measures that conflicted with the habits of the lay power of intruding in religious matters. Moreover, the new matrimonial regulations were inacceptable to many, and still more so the right of exemption of the regular clergy from the authority of the bishops. Even the dogmatic decrees gave rise to discussions, fed by sympathy for Lutherans and Calvinists, for these still had influence and ascendancy at certain Catholic courts and in certain strata of the clergy.

The most tangible and preoccupying question was the German one, raised by the Emperor Ferdinand I both during the Council and after, on the celibacy of the clergy and the use of the chalice. On the other hand, in spite of the fact that his ambassadors had given their signatures at Trent, Ferdinand, finding there was opposition in Lower Austria and in Germany, was in no hurry to publish the Council. Meanwhile discussions between Rome and Vienna continued. The Pope wavered and under certain conditions (and not everywhere) granted the use of the chalice. This concession brought confusion to the one side, enthusiasm to the other. On the death of Ferdinand (1569) the Emperor Maximilian who succeeded him pressed for a dispensation from celibacy; in certain regions there was no longer a single priest who was

not married. Philip II, who considered it his mission to oversee and control the Pope, strenuously opposed any papal concession in the matter, which could never have remained confined to Germany. On the other hand the Jesuits, above all Peter Canisius, strove to restore confidence and vigour in Catholic observance and in the Tridentine discipline among the Catholic clergy and populations. The Holy See protested against Maximilian when he released the University of Vienna from the obligation of the Catholic oath. Finally, in 1566, the Diet of Augsburg met, and the Catholic princes of the Empire ended by accepting the Council.

The Catholic cantons of Switzerland declared that they accepted the Council, but they would not promulgate it for reasons of practical policy, in view of their very weak position in the face of the neighbouring Protestant cantons and of the clergy themselves and the different currents even in Catholic regions. In Poland the Council was accepted by royal edict in August, 1564, and the Parliament sanctioned it the following year.

Philip II, who had made the Council the object of so much opposition and so many intrigues, promulgated it in Spain, Naples and Sicily in July, 1564, reserving the rights of the Monarchy, and of local traditions, usages and privileges in so far-reaching a form as to render not a few of the conciliar measures unworkable. In respect of Sicily, faced with the observations of the Governor on the existence of the Tribunal of the Sacred Sicilian Monarchy, Philip hastened to withdraw his decree. In the Low Countries there was considerable resistance to Trent and acceptance was made with the express reservation of local privileges, uses and traditions. The Holy See in 1565 declared all privileges contrary to Trent to be null and void, but these survived and were vigorously defended by monarchs and clergy.

The Monarchy of France never accepted the Council of Trent and the dispute that began in 1564 was never definitely settled; it was complicated by the whole politico-religious position of the kingdom and dragged on from epoch to epoch down to our own times. The beginning of French hostility to the Council of Trent dates from its close, when the French ambassadors refused to set their signatures to its acts (1563). The next year the Pope's request was examined by the

Royal Council at Fontainebleau, but no decision was taken both in order not to irritate the reformers and because of an unwillingness to apply certain provisions such as those on benefices *in commendam*. Catharine de' Medici, who was then regent, promised the Pope to see that the particular decisions of the Council were carried out without their publication. The Pope put a good face on the matter, but the upper clergy and the Sorbonne were then in favour of integral publication and treated those who opposed it as schismatics; the lower clergy drew a distinction between the parts relating to faith, where no reservation or discussion was admissible, and the disciplinary parts where, they held, reservation should be made of the privileges of the Gallican Church. The Parlement of Paris and the lawyers were against publication altogether. At the States-General of Blois (1579) certain Tridentine decisions were inserted in the royal ordinance, but over the Council as a whole the battle went on for some time. At the beginning of the League the bishops believed they had won. Henry III undertook (in accordance with the Edict of Union of July 21, 1587) to accept the Council '*sans préjudice toutefois des droits et autorité de Sa Majesté et des libertés de l'Eglise gallicane*'. But in spite of this, at the second States-General of Blois in the following year, Henry III went back on his steps, returning to the position of the Royal Council at Fontainebleau. When the League found itself momentarily victorious Mayenne, as Lieutenant-General in the States of 1593, published the decrees by which the Council was to be held as law of the realm, but, through the accession of Henry IV, this promulgation remained without effect. Henry IV, at the time of his reconciliation with the Church, promised Pope Clement VIII to settle the question of the Council, excepting those measures that might disturb the tranquillity of the realm, but the negotiations he started with Rome had no decisive outcome.

At the States-General of Paris in 1614 the bishops brought up the question anew, but the Third Estate opposed them. Its President, François Miron, in order to ensure the non-reception of the Council, maintained for the first time in France the thesis of the non-competence of the secular power in religious matters. In regard to the dogmatic canons, he said, their publication by the king was totally useless; in regard to discipline, let the clergy begin by observing the decisions of

the Council that concerned them, such as that against pluralism. The Peace of Loudun (May, 1615) between the princes of France included an article that the decisions of Trent would not be promulgated. The clergy, for their part, held an assembly (July, 1615) in which they made a unilateral but important declaration that they unanimously recognised the Council, holding themselves bound in conscience to 'receive' it, and promising to do their utmost to observe it, through their pastoral and spiritual functions.[1]

This decision was communicated to the King and thenceforth was considered ecclesiastically and morally valid, so that Bossuet could write: 'It is indeed perfectly true that the discipline of the Council of Trent, authorised for the most part by what is known as the Ordinance of Blois (1579) . . . is becoming more and more established in the Kingdom, and, save for a few articles, is universal.'[2] Actually various of the conciliar decisions were embodied in royal ordinances, but the Council of Trent, according to the public law of the time, was never juridically received in France, only by the bishops, and always with reservation of the Gallican liberties. The same may be said of the Protestant countries separated from Rome, where Catholics could not receive the Council of Trent otherwise than as faithful, but even they reserved their local rights and traditions as recognised by the secular power of each State.

While all this may appear merely the juridical aspect of the problem, it implied something more important, the trend of behaviour of the Catholic States in their relations with Rome, and the conception of Church and State in Catholic countries and in Protestant ones. The events enable us to trace the evolution of post-Tridentine thought in this respect, so as to ascertain its accidental causes and to perceive the deeper and real causes.

All the countries that had remained Catholic were troubled from

[1] 'Ont unaniment reconnu, reconnaissent et déclarent etre obligés, par leur devoir et conscience, de recevoir, comme de fait ils ont reçu et reçoivent aujourd'hui, le dit Concile, promettant de l'observer, autant qu'ils le peuvent, par leurs fonctions et autorité pastorale et spirituelle.'

[2] 'Il est meme très véritable que la discipline du Concile de Trente, autorisée dans la plus grande partie par l'ordonnance appelée de Blois (1579) . . s'affermit de plus en plus dans le royaume, et qu'à peu d'articles près elle est universelle.'

the religious and political standpoint by three currents: that of orthodoxy of faith which combined and under certain aspects coincided with loyalty to the reigning House, with the national personality or with the political party defending it; that of the defence of local rights, liberties and privileges against the Papacy and the defenders of the Papacy, the Jesuits first of all; thirdly, that of reform, which could not but suffer a Protestant influence and which embraced at once spiritual, ethical and philosophic motives and mundane, political, and emotional ones.

The outstanding figure of this post-Tridentine period is Philip II. He incarnates all three currents and seals them with his sombre and enigmatic personality. The division of the Germanic Empire from his Spanish possessions by Charles V, who assigned the first to his brother Ferdinand, the second to his son Philip, led to a dualism of forces which for a century was wholly to the advantage of Spain. Spain became the hegemonic centre of Europe and the most powerful colonial nation. This political position gave Philip II the advantage that the greater part of Catholic interests centred in Spain, apart from the fragments of the Empire which Ferdinand I and Maximilian II sought to keep united to Vienna. Philip felt he had a kind of mandate to act as guardian to the Papacy, which, to his mind, was too weak in dealing with heresy and with the princes. His pretensions were such that he believed it his right to interpret the Council of Trent through an ecclesiastical Council of State peculiar to Spain and the countries subject to his crown.

Philip's conception was strictly cesaro-papist. He did not, like the Protestant princes, declare himself head of the national church, and he recognised popes and councils, but he felt himself truly the head of the bishops of his State, the authorised counsellor of the Pope and the mainstay of the interests of the Church (which he tended to identify with those of his States and of his crown) in the face of the deficiencies of papacy and council. To augment the influence of Spain in the world was for him the same as to augment the influence of Catholicism; the opponents of his policy, were they kings or popes, were at the same time opponents of Catholic faith and interests. With this idea, his cesaro-papism, though framed in the most rigor-

ously orthodox Catholicism, became prevailing and all-absorbing, and under certain aspects resembled the cesaro-papism of the Protestant princes. Philip II was not the only Catholic sovereign to stress this conception; they were all, some more, some less, of his way of thinking, but in his case there was added a personal and mystical conception, the idea of a kind of divine mandate extending even to countries outside Spain and his States.

The conditions of the Spanish clergy favoured this exaggerated idea. All the bishops and archbishops of Spain, Naples and the Spanish colonies were under royal patronage; he disposed of them at his will. The riches that were flowing into the Church subsequently returned to the royal Treasury, under various pretexts and with the Pope's consent, (which might or might not be voluntary), for the wars against the Turks or against England and France, or to repress the risings in the Low Countries. In the royal Councils, bishops, friars, theologians predominated. Everything tended to bring about a kind of fusion, Catholic, ecclesiastic, monarchic.

The Spanish Inquisition, founded by Ferdinand the Catholic and Isabella and approved by Sixtus IV, was aimed principally against the Jews, Moors and Maranos, who were converted by force and then considered as heretics. Reinforced by Philip II it was directed against Protestantism and the heresies of the day. He wanted to extend the authority of the Spanish Inquisition to the other States and dominions under his crown, but he met with resistance and opposition; this was one of the motives of the insurrection of the Low Countries. By papal privilege the King of Spain had been granted the title of Papal Legate and hence took a share in the papal jurisdiction; the tribunal of the Spanish Inquisition was his emanation and placed under his authority. It had thus become an instrument of political domination, and as such was removed from the influence of Rome.

The dispute between Pius IV and Philip II over the trial for heresy of the Archbishop of Toledo, Mgr. Carranza, became notorious. The Council of Trent seeks in vain to have the case referred to its jurisdiction; Spain refuses. The Archbishop appeals to Rome, and the Pope asks in vain that the accused should be consigned to him with the documents of the case in order to pass final sentence. Philip does not

admit that an accused person can be withdrawn from the tribunal of the Spanish Inquisition. He agrees to the sending of papal delegates, who, chosen among the best men of the Curia, arrive at Toledo. By coincidence, three of these delegates would become pope, Boncompagni as Gregory XIII, Fra Felice of Montalto as Sixtus V, Aldobrandini as Clement VIII. But Philip claims that the final verdict must rest with the Spanish Inquisition assisted by the papal delegates, and not with the delegates alone. To this they will not consent. In the meantime, Pius IV dies and the delegates return to Rome. Pius V, the new pope, succeeds in getting Mgr. Carranza handed over to him, but when the rumour spreads that the papal verdict will be an acquittal, contrary, therefore, to the Spanish verdict, diplomatic machinery is set to work to retard the conclusion of the trial, and at the same time an interesting controversy breaks out on the powers of the King of Spain and of the Pope. Pius V was not able to settle the case of the unfortunate Archbishop, and when in 1576 Gregory XIII, after over fifteen years of proceedings, recognised that Carranza was not heretical but had merely been imprudent, and sentenced him to five years' banishment at Orvieto and suspension from his faculties as archbishop (and this, maybe, in order to propitiate Philip II and his Inquisition), poor Carranza died.

A position juridically similar to that of Spain existed in Sicily. There, under Roger II in the days of the Normans, the Sacred Tribunal of the Sicilian Monarchy had been set up. It was a kind of central and final ecclesiastical authority in the hands of the King, in his quality of papal legate. This state of affairs was contrary to the Tridentine spirit and the popes wanted to put an end to it. But they were faced with the resistance of Philip II, who, on advice from the Governor, withdrew the order to promulgate the acts of the Council in Sicily. The dispute between Rome and the various monarchs of Sicily was never settled till Pius IX, by a bold stroke, issued a Bull of abolition in 1858. The time was then ripe, and royal and clerical opposition to the papal act had no practical consequences. In the XVI century matters were otherwise. The position of Philip II in the face of Catholicism was politically so strong that the popes had to take it into account. The problem of the Turks was still a pressing one, even after Lepanto (when Philip behaved extremely badly) and the popes wished to maintain the Holy

League against the Turks in an efficient and harmonious condition; the strongest (if not the most valiant) champion of the League was Philip. The other States too counted for much, and the popes gave way over Church revenues in order that the sovereigns concerned should be enabled to meet expenses—though those of the League were actually the least part of them. In the same way the popes yielded over ecclesiastical privileges, protracted their disputes with the various courts over the Council, mitigated those of its measures that were most criticised, and tolerated the vindication of certain rights. In spite of this, the League fell to pieces. Venice, disillusioned by Spain, made a separate agreement with the Turks, Maximilian took no part, France was mistrustful and Genoa aggrieved, while Philip was engaged in the conquest of Portugal and turned a deaf ear to the voice of the Pope. In the meantime the Turks were able to consolidate their forces after the defeat of Lepanto and the capture of Tunis.

The war against the Turks was a European necessity, to which all should have contributed, yet the main resistance continued to be confined to Venice, Vienna, Hungary and Poland. Philip was pursuing his Catholic-Spanish policy in the West and expanding his vast power on the seas. At this time he hoped to gain the hand of Elizabeth and dominate England, and therefore insisted and intrigued in Rome that no final measure should be taken to effect a rupture. Elizabeth, for her part, during Alba's repression in the Low Countries, was in favour of Philip and congratulated him on the Duke's victory, just as Pius V congratulated him—deceived, says Pastor, by the official reports. When the Pope launched his excommunication against Elizabeth, Philip put forward objections. But he too would be obliged to break with her; his interests in the Low Countries and his dominion on the seas, rendered decisive by the capture of Portugal, conflicted with the trend of English policy. The various revolts in Scotland, Ireland and England gave Philip the opportunity of intervention, while the treaty between Elizabeth and France in 1572 provided the motive for a more decided struggle.

From 1562 Philip supported the Catholic party in France. It was the beginning of the Wars of Religion (civil and international) which left a bloody trail through France and would extend all over Europe, to form the long chain of wars that stretches to the Peace of Westphalia.

The Edict of Saint-Germain (January 17, 1562) allowed the Huguenots to meet outside the towns. The Parlement of Paris rejects it; the partisans of Guise and Condé confront each other in the streets, Catharine de' Medici is held a prisoner by the triumvirs of Paris (Montmorency, Guise, St. André), churches are assaulted, everywhere are horrors and crimes. The Huguenots call in the help of England; the Germans enter France to join Condé at Orleans. The first act of the terrible religious drama of France ends with the Peace of Amboise (1563). The war with England (in which France finally won Calais) goes on till May, 1564, but the struggle between Catholics and Huguenots breaks out again immediately, in acute form. Philip II is perturbed, fearing what would actually come to pass—the revolt of the Low Countries in 1566, which has a sequel in France where the Huguenots again take up arms and at the battle of St. Denis Montmorency is killed (1567). The civil war continues. The South is in the hands of Coligny, who threatens Paris. Catherine offers him the Peace of Saint-Germain (August, 1570). By this peace the Huguenots were granted the right of public worship in the cities where this had existed before the war, freedom of worship in private houses, the restitution of their goods, and four cities, known as the 'cities of surety': La Rochelle, Montauban, Cognac and La Charité.

Coligny, at the height of his power, tries to induce the young King Charles IX, who is now of age, to carry the war into Flanders in support of the revolt against Philip II. Catherine dissuades him. The Duc de Guise thinks that the moment of vengeance has come. Mourevert's murderous attack on Coligny only partially succeeds; the Huguenots are threatened and keep a watch on the Louvre; there is fear of an attempt to seize the King's person if De Guise is not brought to justice. It is then that (on the pretext of preventive action against the Huguenots) the famous Night of St. Bartholomew is planned (1572), a night of horrors and blood, which extended to the rest of France. La Rochelle was besieged. Catherine renewed the alliances with the protestant princes of Germany, with the insurgents of the Low Countries, while France was almost wholly a prey to insurrection and disorder, and the unhappy Charles IX died in 1574.

The wars between Catholics and Huguenots continue under Henry III. The Germans sweep down on France and threaten Paris, with the

King's brother, the Duc d'Alençon, at their head. The peace imposed at Beaulieu (1576) includes freedom of worship for the Protestants (except in Paris), the usual cities of surety and a kind of division of France into zones of dominion, the centre going to d'Alençon, Guienne to Henry of Navarre, Picardy to Condé and Languedoc to Damville, all Calvinists. The Guise brothers, supported by the Catholic party and by the clergy, with encouragement and help from Philip II and the Pope, formed the League, which aimed at exterminating the Huguenots and consolidating the Catholic religion as the sole religion of the State (1576).

But on the death of the Duc d'Alençon, since Henry III had no sons, the problem of succession to the throne came to the fore. The heir-presumptive of the Valois branch was Henry of Navarre, the Calvinist. This prospect aroused great apprehension among Catholics, the League, the Pope and Philip. On the other hand, Henry of Navarre did not wish to lose his rights and held his own against the League, which sought to put forward the Guise family. It was then that the Treaty of Nemours (July, 1585) was signed between Henry III and the League, with the aim of suppressing Protestantism in France. Of the Huguenots a part were converted and a part emigrated, while Sixtus V excommunicated Henry of Navarre and Condé. These are the gloomy years of the execution of Mary Stuart in England, of the expulsion from London of Mendoza, the Spanish Ambassador, and of the war between Elizabeth and Philip (1586), of the Great Armada (1588), of the assassination of the Duc de Guise and his brother the Cardinal (1588), and of the assassination of Henry III himself by Jacques Clément (1589).

The position was now clear. Henry of Navarre proclaims himself King of France as Henry IV. He is once more excommunicated by Innocent IX. After two more years of war, in 1593, Paris surrenders, Henry abjures his Protestantism, and, in the following year (1594) Clement VIII lifts the excommunication. Wars and struggles go on till the Treaty of Vervins; Henry publishes the famous Edict of Nantes, and Philip II dies (1598). Thus the first period of the wars of religion ended with the XVI century.

§ 30.—If it had not been for the great revival of the mystical currents,

the new religious orders, the radical reforms of the older orders, it would have seemed as if the Tridentine Counter-Reformation had ended in the wars of religion, in conspiracies and bloodshed, with the Catholic Church leaning entirely on the Inquisition and on the powers of the monarchies. This picture of the Counter-Reformation formed for a long time a polemical motive of superficial histories, while on the other hand Catholic historians and polemists have brought forward all the acts of intolerance and violence, the massacres and wars promoted by Protestants and the Protestant monarchies, which, in their turn, emulated and outstripped the Catholic monarchies. The historico-sociological problem of the period is in reality far more complex, and we must seek in the theoretical systems and doctrinal battles of the time for the explanation of these melancholy events.

It must be remembered that the conception of the State was then inseparable from that of the Christian religion. If the Protestants abandoned Rome, it was to create a State adhering still more closely, to their mind, to Christian life and faith. If the Catholic monarchies and national clergies resisted Rome, it was through the greater solidarity between monarchy and religion as organised and felt in each separate State. The struggle therefore went on on two planes—the first, between Catholic orthodoxy and Protestantism; the second, between the remains of ecclesiastical internationalism, centring in Rome, and the monarchico-ecclesiastical autonomy of each separate nation. One of the outcomes of this struggle was the State religion. We must give careful analysis to this phenomenon in the XVI century, in order not to confuse it with similar facts earlier or later.

We have already touched on the system inaugurated in Germany during the first phase of Lutheranism, with the principle *cuius regio illius et religio*. The principle on the face of it is an offence both to the personal right of every man not to be forced to accept a religion as a legal duty sanctioned by punitive laws, and to that of the Christian religion in its catholicity to expand in every place. An extraneous principle was thus introduced into Christianity, that of political loyalty appraised by religious criteria recognised and imposed by the State. Here is something more than what the Roman Empire did with its subjects. For Rome left each people its own religion, save for the

obligation of recognising the divinity of Rome and of the Emperor as a sign of loyalty and conformity. And she dispensed the Jews from the imperial cult and would perhaps have done the same with the Christians (as in fact happened in the periods of comparative peace between one persecution and another) had she not seen in them at once an antagonistic force, the negation of all the other religions of the Empire, and a new, conquering force. The position of the Roman Empire, with another mentality, other aims and values, would be repeated in modern times. But in the period of early Protestantism it was inconceivable that a State should grant liberty of conscience and worship and be able to recognise the loyalty of its subjects on purely political and national grounds.

The positions created in Germany in the first period of the Reformation present themselves under three different aspects. We must note that Germany was divided into so many principalities, kingdoms, free cities, episcopal cities, electorates, as to make wide combinations possible. Certain regions became wholly Protestant, others remained Catholic. In a certain number Catholics and Protestants represented forces which, if not equal, were respectively important. In almost every petty State there were minorities, either Catholic or Protestant. The internal strife between Catholics and Protestants in each town or village, and the wars of the Protestant leagues against the Empire, had brought some thirty years of disturbances, persecution, slaughter. A pacification was desired by all. Since neither toleration on a basis of the civil and political parity of all citizens, nor a loyalty to the reigning house and the State that was not founded on religious unity, was feasible or conceivable, it was decided to give homogeneity to the States on a basis of religious observance. The dissidents, Catholics or Protestants, either emigrated and took refuge in the States where their own church was recognised as the State religion, or submitted to all the vexations of the Government and to the suspicions of the official churches, becoming crypto-Catholics or crypto-Protestants as the case might be, or else they suffered the fate of persecuted minorities.

It is strange to think that State religion thus conceived in those days could become a source of social tranquillity, ensuring a freedom of worship not individual but for the homogeneous group, which as such

had been persecuted or had suffered the effects of the religious wars and strife. It is understandable that on the one hand Rome protested against a similar principle, subversive of the whole system of Medieval Christendom and which moreover prevented or seriously impeded the spread of Catholic worship and the defence of Catholics in Protestant countries; and that on the other hand the Germanic Emperor, not wishing to lose his dominion over the Protestant territories, especially the mixed regions that had remained faithful to the House of Hapsburg, sought systems of compromise for the Protestants, of safeguards for the Catholics, facilitating the concessions that Council or Pope opposed or tolerated, as the case might be.

The spread of Protestantism outside Germany and the resulting wars or revolts in England, France and elsewhere, set the problem in other terms. Although these States were still divided into distinct zones and sovereignties, yet compared with Germany they revealed a homogeneity of forces tending to consolidate itself in national unity. The religious question could here lead to the division of the State into various sovereignties determined by religious confession, or else to a loss of autonomy; in either case it was an impediment to the monarchic unification already in process.

England after the brief reign of Mary Tudor relapsed into Anglicised Protestantism; the Catholic minority, those who refused to yield, were subjected to legal disabilities and periodical persecutions. The same was the case with the nonconformists, the dissenters, for the State religion was bound up with the national character which the monarchy was more and more assuming.

When Pius V excommunicated Elizabeth and declared her deposed, this had no political effect in international relations, but it made the Protestants more decided than ever to permit no papist infiltrations into the kingdom, and rendered the conditions of Catholics more difficult. By the Bull of Pius V the latter were released from their oath of loyalty to the Queen. This medieval formula, which held good when a vassal was bound to his sovereign by a kind of free proffer, a contract *sui generis* which formed the feudal bond of sovereignty, had not the same sense in the period of the formation of the modern State, which was growing up round the idea of the nation. Catholics were obliged

to take the oath of allegiance, which created a fresh and prolonged strife between the Papacy and the English monarchy, and divided Catholics themselves between those who wanted to resist at any cost, even that of life, and those who sought a compromise, with or without the tolerance of Rome.

But the religious problem was overshadowed by the political problem. The persecutions under Elizabeth (which were no less than those under Mary) followed the oscillations of domestic and foreign policy. One of the noblest victims was the Jesuit Campion, guilty of having administered the Sacraments to Catholics secretly in their own houses. He had brought from Rome a copy of a profession of Catholic faith and national loyalty, which had been recommended to the Jesuits by St. Charles Borromeo. The declaration in the will of Shakespeare's father is simply a translation of this formula.

The question of the security of the throne in the Elizabethan period was not merely a question of the religious formula of an oath, but involved political realities. The monarchy then had neither its own treasure nor its own army; it was maintained only by the loyalty, sympathies or interests of the various political and ecclesiastical *élites* of the kingdom. Adversaries could question the legitimacy of the succession, since Elizabeth could be considered as the bastard of Henry VIII. Plots against her life, either real or invented, were not wanting. She had, moreover, a rival who attracted the attention of popes, foreign courts, and rebel subjects in Mary Stuart—Catholic, rightful Queen of Scots, widow of the Dauphin of France, daughter of a Tudor, at any moment she could imperil the throne of England. History tells us of the fascination and misfortunes and failings of the romantic type of Queen that was Mary Stuart, of the intrigues woven about her to make her fall into the hands of her butchers, and to remove for ever the danger that she, a prisoner for nineteen years, could claim the throne of England on the death of Elizabeth; and finally, at what a price her son James VI of Scotland became James I uniting the two crowns. Round this question of succession (as round that of the throne of France) the hopes and intrigues of Catholics and Protestants were centred.

France had never lost her character of a Catholic State. Paris during half a century of strife was the citadel of Catholicism. But France had

to face three perils—that of the advance of Protestantism, which was becoming serious in the South and in provinces of the Centre and North; that of the factions that might divide and weaken her in the face of the two enemy States, England on the North, whose power was waxing, Spain on the South whose power was at its height; finally, that of the succession to the throne after the death of Henry III, when the crown fell to a Huguenot, Henry of Navarre. Moreover, France had a particular mistrust (which reached the pitch of aversion) towards Rome, in the name of the liberties of the Gallican Church, which made clergy and State hold jealously to their own personality. Not every ill comes to do harm: the Gallicanism of the XVI century (which differed in certain respects from that of the century following) saved France from Protestantism, for it served to maintain her personality as conceived by the ecclesiastics, by the friars and the laymen of the Sorbonne.

From the point of view of State religion, it was never questioned that the religion of France was Catholic, in union with Rome as the See of St. Peter. The problem for France was identical with that of Charles V and his successor Ferdinand I—how to reconcile this Catholicism with the existence of the reformed church. But there was this difference, that Charles V was faced with a multitude of States and Statelets, which evaded his influence or rebelled against it, whereas in France there were instead noble houses or military leaders, like Condé and Coligny or even Navarre (though Navarre was a kingdom by itself), or cities like Orleans or Montauban where the majority turned Calvinist.

Hence the series of edicts, assemblies, peace treaties that we have already noted, under Henry II, the Regency of Catharine de' Medici, Charles IX and Henry III, and continuing under Henry IV, to culminate in the famous Edict of Nantes of 1598—half a century of ebb and flow and strife, civil wars and foreign wars. What might seem a question of safeguarding the rights of conscience of a Protestant minority involved in substance both the safeguarding of the Catholic religion against Protestant assaults—assaults that in certain respects were completely successful, or showed a growing and preoccupying strength—as well as the security of the tottering throne in the hands of the last of the Valois, whose power was so contested that they must have recourse to domestic and foreign backers, to stratagems, massacres

and wars. Hence a see-saw policy on the part of the monarchs, between Catholic Paris, the Sorbonne, the clergy, the parlement, or Rome on the one hand, and the powerful families of the Huguenot leaders on the other; with now concessions like those of the Peace of Saint Germain (1570), now massacres like St. Bartholomew's Eve (1572).

The various endeavours to enable a Catholic majority and a Calvinist minority to co-exist might be said to have failed, for they speedily degenerated into strife, revolts and wars. One of the means attempted was that of giving the Huguenots special cities. This created centres of resistance, fortified for struggles and wars, a State within the State, which lasted till Richelieu abolished the remains of an immunity that was still effective.

Every attempt at toleration of worship during these fifty years ended in faction, on one side or the other, for the Huguenots readily engaged in proselytism and reached the point of outrages against Catholic worship such as to arouse an irrepressible reaction. And transition from the sphere of religious quarrels and controversy to the political sphere and the formation of armed factions was too easy, in so incandescent an atmosphere and under so feeble a monarchic authority, in a country torn between the powerful forces of the nobles, the clergy, the rich bourgeoisie, the Sorbonne and the Parlement. Religious toleration could be achieved only as a truce of factions, as something imposed by the victorious party on the vanquished, as a concordat sanctioned by the King but such as to be rescinded or allowed to drop at the first moment that factions were again in the ascendant. And since it was the monarchy that, in its own interests and in order not to alienate the heads and following of the two parties, tended towards compromise, the monarchic and State problem became the most pressing problem, the real problem of the day.

The growth of anti-monarchic theories makes a clear beginning after the Eve of St. Bartholomew, and naturally it is the Huguenots and philo-Calvinists who support them. To this period belong François Hotman's *Francogallia* (1573), the *Discours de la servitude volontaire* of E. de La Boétie (1574), *Du droit des magistrats sur leurs sujets*, by Théodore de Bèze (1574), and later the celebrated *Vindiciæ contra tyrannos* (1579) attributed to Du Plessis Mornay. It is at this date that the anti-

monarchic movement passes from the Huguenot to the Catholic camp when, after the concessions of the monarchy to the heretics, the *Sainte Union* (the League) is formed, led by Guise and Mayenne and supported by Philip II and Gregory XIII.

The political aim of the League after the death of the Duc d'Anjou is to put forward a Catholic claimant to the throne (a Guise) instead of the Huguenot Henry of Navarre. In 1586 the lawyer Louis Dorléans published a pamphlet entitled: *Avertissement des catholiques anglais aux François catholiques*, which had extraordinary success. In substance he borrowed from the *Francogallia* by the Protestant Hotman the arguments against the hereditary monarchy and in favour of a monarch chosen by the people, in order to vindicate the right to set aside Navarre for Guise. Certain Catholics did not wish to abandon the principle of hereditary legitimacy and would not follow the Guises, but after the assassination of the Duke and his brother and the excommunication of Navarre and Condé by Sixtus V, the democratic theory takes root and becomes general among French Catholics. The Monarcomachs are in the ascendant. These are of all types. Petit-Feuillant is a religious, known as a saint; one of the most fervent monarcomachs, Feuardent, a famous Sorbonnist; Guincestre, one of the most respected parish priests of Paris; Guillaume Rose, who wrote *De justa reipublicæ christianæ in reges impios auctoritate*, Bishop of Senlis; above all, Jean Boucher, who at the age of thirty was Rector of the University of Paris, and who wrote the pamphlet: *De justa Henrici Tertii abdicatione* (1589).

The ideas maintained by Catholic monarcomachists were in substance the following : a people is obliged by natural and divine law to obey a head chosen by itself, but just as the people has bound itself to a head, it can also release itself. The people remains 'eternally guardian of sovereignty, judge of sceptres and kingdoms, being their origin and source,'[1] for the people 'is the base on which the King rests and without which he has neither arm nor foot nor leg, and would fall like a colossus did its pedestal collapse'.[2] De La Boétie had written:

[1] '. . . éternellement garde de la souveraineté, juge des sceptres et des royaumes pour en être l'origine et la source.' (Jean Boucher, *Sermon 3ème sur la simulée conversion.*)

[2] '. . . est la base sur laquelle le roy pose, et sans laquelle il n'a ny bras, ny pied, ny jambe, et tomberoit comme un colosse dont le soubassement est fondu.' (loc. cit.)

'Be resolved (poor wretched people) to serve no longer, and you are free. I do not want you to shove or shake him, only cease to sustain him and you will see him, like a great colossus from which the pedestal has been taken, crash down by his own weight and break'.[1] It is the revival of the medieval theory of the social contract, which the Calvinist, Theodore de Bèze, had refurbished and the Catholic Leaguers put forward against the succession of Henry of Navarre and in favour of a free choice of monarch.

It was not only in France that the pressure of events encouraged the growth of this anti-absolutist and democratising current. Post-Tridentine Catholicism had found itself in a position of conflict not only with the Protestant princes, who based their dominion on the reunion in a single hand of the temporal and spiritual powers, but also against the Catholic princes, who invaded the ecclesiastical domain and assumed they could direct Church affairs in their States, now intensifying reaction to excess, like Philip II and the Spanish Inquisition, now giving way to the Protestants or the broader trends as in France, Venice, and even in Vienna. A Catholic democratic movement thus enters the lists, historically to be identified with the political movement of the Jesuits at the end of the XVI and beginning of the XVII century, and which is known by the great names of Suarez and Bellarmin. By these the problem was given a wider range than the monarcomachs could have expected, for they brought back under discussion two acute problems that had never found solution either in the minds of jurists or in popular consciousness—that of the international unity of Christendom and that of the supremacy of the Pope over the civil power.

Suarez and Bellarmin sought the most balanced theoretico-practical solution possible, in view of the times and current controversies, and both anticipated the evolution of theories and events. The first in the international sphere recognises that the medieval empire has fulfilled its function and is no longer tenable, especially since Christendom has

[1]'Soyez résolus (pauvres gens misérables) de ne servir plus, et vous voilà libres. Je ne veux pas que vous le poussiez ny le bransliez, mais seulement ne le soustenez plus et vous le verrez, comme un grand colosse à qui on a dérobé la base, de son poid mesme fondre en bas et se rompre.'

been broken up and every kingdom claims autonomy. He, therefore, maintains the empire of an international law, regulating the relations between sovereign States, and providing moral and legal sanctions based on Natural Law. But for Suarez, as for the whole Catholic current guided by the Jesuits, the function of the Pope did not fall outside the international organism, but within it, both for the moral interpretation of the law and the guardianship of the religious interests of Catholicism. The other pillar of the juridical edifice of society is the People, whose consent (tacit or expressed) is essential for the formation of the political order and supreme authority. The people is the most natural channel of concretisation of power; it must not be deprived of its right. The King thus found himself in a vice, between the Pope above and the people below.

But the post-Tridentine atmosphere was not propitious for a restoration of the medieval Papacy. Although popes like Pius V, Sixtus V and Paul V were strong enough to put into practice the theory of *direct power* over kings and princes, and to find bold supporters not only in the Curia and among the religious Orders, but also among independent laymen and ecclesiastics, the political and religious currents of Europe were hostile and found it more convenient to lean on the people, to instigate revolts and challenge each other in wars, than to recognise full and effectual direct power to the Pope in temporal matters.

Among the solemn papal acts in this connection was the excommunication and Bull of deposition against Elizabeth. As we have seen, Philip II disapproved, while the other Catholic sovereigns ignored the excommunication and continued to have relations with England. The net result was the final separation of England from Rome. Another solemn act was the excommunication of Henry of Navarre by Sixtus V. The legitimist French Catholics deplored it and continued to support Henry, who was proclaimed King of France. In order to pacify the country he was converted to Catholicism, and soon after issued the Edict of Nantes, which favoured the Huguenots. Finally, Paul V decreed an interdict against the Republic of Venice for the jurisdictionalist laws passed by the Senate in 1605. But the interdict was not observed by the clergy, who all (except the Jesuits and a few rare friars)

sided with the Republic. The dispute ended in 1607 through the mediation of France, though the decrees of the Senate were not noticeably modified in the sense desired by the Roman Curia.

In all three cases what the Papacy lacked was popular consent, without which it was impossible to gain the better of the sovereigns. This was lacking because actually the clergy was in the service either of the court or of a faction, while the universities and centres of culture were in general still more or less imbued with the conciliar spirit of the XV century (Pisa, Constance, Bâle) and with the liberties of the national churches and the growing nationalism of the State.

The Jesuits, a picked body, intellectual and strong-willed, thought to heal the breach between the Papacy, the people, the world of culture, and the courts by a drive of conquest in every camp, while reasserting simultaneously the right of the Papacy and that of the people. Between the extreme wing of those who brought back into circulation the *Unam Sanctum* of Boniface VIII, and those who denied the Pope any right of intervention in temporal matters, Bellarmin introduced the theory of *indirect power*. The Pope has no power in temporal things but only in spiritual things, yet if through a decision on spiritual matters the secular power is affected, this must suffer the consequent limitation. If a king turns heretic and the Pope excommunicates him as a member of the faithful who has deserted the Catholic faith, the Pope is fully within his spiritual right. If thereupon, through the effects of the excommunication, the subjects, unable to communicate with the King, depose him and choose another, this will be a legitimate consequence entailed by a spiritual act on the Pope's part and never a direct act of papal power in temporal matters.

Bellarmin's theory on its first appearance created such scandal in Rome that Sixtus V had prepared the decree placing the audacious tract on the Index. On the other hand it was attacked in France and elsewhere not only by the legists or *Politiques*, who ruled out all papal intervention, but also by the greater part of the upper and lower clergy, by the Sorbonne and by the moderate Gallican current. These last maintained a thesis somewhat different from Bellarmin's: that the Pope could certainly excommunicate a king for spiritual reasons, but that the right to depose him or not remained with the people. If it

deposed him the excommunication would have a temporal effect, if it did not depose him, the excommunication would affect the King in the use of the Sacraments and in his other relations with the Church, but it could not prevent his exercising his regal magistracy, which was a natural right that no ecclesiastical right could take away. This was not the thesis of the *Politiques*, who while they did not yet go so far as to deny a certain intervention of the popular will in the constitution of a State, denied any right of intervention to the pope and any right of final pronouncement to the people; on the contrary, they were working out the theory that would prevail, that of the Absolute State.

The clash between these three currents came about over the most vital theme of all, that of the State religion. The failure of toleration had been due to the necessity in which the monarchies were placed of basing civil conformity on religious uniformity. The Pope and the Catholic clergies would have wished for religious uniformity in the Catholic countries and toleration of Catholicism in the Protestant ones. But since they did not admit the principle of freedom of worship, they could only base themselves pragmatistically on either the courts or the court parties, or on popular reaction and open or secret propaganda, or on the outcome of revolts and wars and the successive and very variable peace treaties, concordats and edicts.

Thus the clash of ideas did not clarify the theoretical position of any of the conflicting parties, and their practical outcome was never satisfactory, being inspired by criteria of court or party interests, or by the none too far-seeing aims of papacy and clergies. It is not surprising that the majority looked to violence and wars for what juridical criteria or theological discussions could not then give.

§ 31.—The last refuge of the popular or democratic trend of the end of the XVI century was the theory of tyrannicide. This, condemned at the Council of Constance with the ambiguous phrase we have already noted, was revived in France by the Calvinists and then, in rebound, upheld by the League. The Protestants saw a martyr in Poltrot, the assassin of the Duc de Guise, just as those of the League saw a martyr in Jacques Clément who assassinated Henry III. All the

literature of the League is imbued with this idea, and priests and friars were found to declare that they could absolve the murderer of a king. This factious state of mind, born of political passions and religious fanaticism, did not find issue in a representative theory of the popular rights nor in an abolition of the monarchy (as would come later through the French Revolution), but exaggerated the popular title to correct the monarchy by methods of force. And since this could not be done by revolt, it turned to assassination of the king as the right of tyrannicide.

When the League was nearing its collapse and the star of Henry IV was rising, Jean Chastel was inspired by religious aberration to make an unsuccessful attempt on his life. By that time the general opinion was hostile and the ardent advocates of tyrannicide ten years before either kept silence or had turned into champions of the theory of the King's absolute power. One of the reasons for the change in French public spirit came from the growing prestige of the new king and his orientation towards Catholicism, with the need for order and tranquillity after the stormy years of the League and the wars that had so weakened France. The theory of the right of the people had thus lost its charm and that of the divine right of kings was emerging under a new aspect. The Theological Faculty of Paris, which had once supported the League, turned towards the monarchy and took its stand side by side with the Parlement, with its political Gallicanism. Since the greater number of bishops and ecclesiastical writers came from the Faculty, their influence too became more and more decidedly anti-popular.

Another reaction, which grafted itself on to the first, was determined by the clash between the Jesuits and the University, the latter supported by the Theological Faculty and the Parlement of Paris. The Jesuits during this period represented the rivals of the University and the supporters of the papal power, and hence the last defenders of the right of the people. The quarrel was very significant, and spread from Paris to have notable repercussions in nearly all Catholic and Protestant States. The Jesuits had been banished from France and their goods confiscated in 1594, as a sequel to Jean Chastel's attempt on the King's life. Chastel had been in relations with the superior of the Jesuit College

at Clermont. When a search was ordered manuscript notes on the League, extolling Jacques Clément (the murderer of Henry III) and maintaining the legitimacy of tyrannicide were found in the room of Father Guignard. Father Guignard was hanged and the Jesuits were expelled within fifteen days. At once their French and Roman friends began to press for their return. Pope Clement VIII several times let it be known to Henry IV that the readmission of the Jesuits would be the best proof of his sincerity in his conversion to Catholicism. Negotiations went on for a long time; the University remained hostile.

One of the most famous writings of the time, which put the anti-Jesuit struggle in clear terms as concerning the relations between the spiritual-papal power and the secular-monarchic power, and struck a mortal blow at the right of the people, was the *Franc et véritable discours au roi sur le rétablissement qui lui est demandé pour les Jésuites.* The author was Antoine Arnauld, but it was published anonymously. He attacked the thesis of the Jesuits, on the indirect power of the popes in temporal matters. Arnauld finds it easy to maintain that the *indirect power*—by which the popes may intervene in temporal questions if they are connected with spiritual and moral interests—does not differ in its effects from the *direct power*, which was still maintained by many Roman canonists and by the Curia itself. If the Pope, through a religious conflict with the King of France, (there had been heated controversy over whether Henry IV was really converted or had remained a Calvinist, and the Edict of Nantes had made the situation still more difficult), decided to excommunicate and depose him and invited the people to choose another king, the political result would be the same, whether he justified his action by the theory of direct power or by that of indirect power.

In either theory the Gallicans saw a limitation to the absolute power of the King and therefore a subjection of the State to another power which, entering the political sphere, became political—a power which, in the practical case in question, either because it had fallen into error or because it had been circumvented and influenced by the policy of another State, Spain for example, would even involuntarily injure the French monarchy, leaving it defenceless and at the mercy of hostile parties.

In the meantime Antoine Arnauld, by dwelling on the absolute power of the kings, by denying the Pope even the right to excommunicate the King of France, and presenting all this as the traditional Gallican theory of the Theological Faculty, prejudiced the position of the clergy, which had never denied the Pope's right to excommunicate the King, but merely, as we have seen, declared that in such case it was the people's right to judge if the excommunication should carry temporal consequences or no. The people did not set itself up as judge of the Pope, but as judge of the King and of the temporal interests of the country. Thus it was that neither the excommunication of Louis XII by Julius II, nor that of Henry of Navarre by Sixtus V, had temporal effects, but only spiritual ones, and this through the will of the people and of the clergy combined.

This was the true Gallican tradition through the whole of the XVI century, (it would later be revived by the Fronde, but only for a brief space), and it received a mortal blow in the Jesuit controversy. Of the anti-Jesuits nearly all (including the clergy) became absolutists, denying the right of the Pope and the right of the people together. While the Jesuits and their champions, by maintaining that the indirect power of the Pope was binding in all its effects even on the people, made of the people the executive instrument of the Papacy, and no longer the final judge of the interests of the country as between the temporal demands of the Pope (in consequence of spiritual causes) and the politico-religious position of the Sovereign.

To-day all this discussion may seem idle through the fact that the popes, while accepting the Jesuit theory of indirect power, hardly ever applied it against the kings, with whom instead they always sought concordatory compromises. It has, however, an historical and sociological interest from the fact of the elimination of the people from participation in the sovereign power of the State and the decisive introduction of the divine right of monarchs. The Jesuits, though maintaining the theory of the popular origin of power, compromised it on two heads, by making it an instrument of papal policy and by maintaining, *ultima ratio*, tyrannicide for religious motives.

It was at this time (in 1599) that the Spanish Jesuit Juan Mariana, who had taught in France at the College of Clermont from 1569 to

1574, published his famous book, *De Rege et Regis Institutione*, dedicated to Philip III of Spain. The censor, the Mercedarian Pedro de Oña, not only approved it, but gave it high praise. In the first edition, speaking of Clément who murdered Henry III, Mariana wrote: *Sic Clemens periit, aeternum Galliae decus ut plerisque visum est.*[1] This sentence was omitted in the later editions. Mariana passed into history as the supporter of regicide; he was one of the last exponents of the democratic principle of sovereignty and was certainly bold in his various hypotheses favourable to tyrannicide. But up to 1610 neither in Spain nor in France did the book arouse the outcry it did after May, 1610, when Ravaillac killed Henry IV. It was this event that struck the fatal blow at the Jesuits' popular theory and silenced every other voice in favour of the rights of the people over the monarch, opening the way for a royal absolutism no longer controlled either by people or by pope.

The Jesuits who, in spite of the Parlement's protests and the opposition of the Sorbonne, had been allowed back to France, save to Paris and Clermont, in 1602, and in 1604 to the whole of the kingdom, were blamed for the assassination. The struggle against them and their theory became sharper. Mariana's book was condemned by the Parlement. The Père Coton, who had been confessor to Henry IV, and who wanted to defend it, had to sustain a bitter controversy. Jealousy between the University and the Jesuits played its part, for the latter's teaching was free and gratuitous, and their colleges were centres of culture which competed with the Sorbonne. But at the bottom the politico-religious question was the prevailing one. There was a wish to impose on all France as official theory that of the monarchy by divine right; to this the consent of the theologians was necessary. On the other hand, the true Gallicans deemed the theory prevailing at the Roman Curia almost heretical; the Jesuits who were its exponents in almost every social strata, aristocracy, bourgeoisie and people, had to be reduced to silence since it was thought impossible to obtain from them a sincere repudiation.

The quarrel had a pause at the beginning of 1612, with the end of the prolonged proceedings promoted by the Parlement against the decree authorising the return of the Jesuits to France. The decision of

[1]So Clement perished, an eternal glory to France, as he seems to many.

the Council of State laid on them the obligation to undertake to teach the doctrine of the Faculty of Theology, which the King's Advocate, Servin, summed up in three provisions, and to these the superiors of the Jesuits had to subscribe: (1) that the life of kings was so sacred that no one might ever attempt it, 'in the name of any authority, spiritual or temporal, for any matter or cause whatsoever, even because of their morals or religion.' [1] (2) that the King of the French recognised no superior in temporal things save God alone, through whose grace he had entire dominion over his subjects, and that it was not permitted to the spiritual authorities, under pretext of piety and religion, to invade the King's power, just as it was not permitted to the King, in the name of the royal authority, to invade the spiritual domain. Therefore the Jesuits could no longer teach similar doctrines, 'indeed recognise that the subtleties of the School change only the terms and not the thing, in order to establish an absolute power in the Church, for the destruction of all secular states, and to transform the spiritual power into temporal by attributing to the sacerdotal dignity a temporal dominion like the right and government of a king.' [2] (3) That every subject, whether cleric or layman, had the duty to obey the King, emperor and magistrates, according to the example of Jesus Christ and the teaching of the apostles, and therefore the Jesuits must teach '*que nulle puissance, quelle qu'elle soit, non pas mesmement l'Eglise, assemblée en concile ou autrement, n'a droit de dispenser ni d'absoudre les sujets du roi du serment de fidélité et obéissance qu'ils lui doivent par toute sorte de droit, divin, naturel et humain*'.

The Jesuits at first vacillated and replied evasively, but they ended by signing the declaration imposed by the Parlement, as 'immediate assent without reservations' to the doctrines of the Theological Faculty. On February 22, 1612, the Provincial of France, Father Balthazard, and the Fathers Jacquinot, Fronton, Simond and Tacconius, in obedience to the decision of the Court, declared themselves 'in conformity

[1] 'Sous le titre d'autorité quelconque, spirituelle ou temporelle, pour quelque sujet et cause que ce soit, mesme pour cause de leurs mœurs ou religion.'

[2] 'Ainsi reconoistront que les subtilités d'eschole changent seulement les termes et non la chose, afin d'establir en l'Eglise un pouvoir absolu, à la destruction de tous les Etats séculiers, et transformer le pouvoir spirituel en temporel, en attribuant à la dignité sacerdotale une domination temporelle, à la façon d'un droit et gouvernement d'un roi . . .'

with the doctrine of the school of the Sorbonne, even in what concerned the conservation of the sacred person of Kings, maintenance of their royal authority, liberties of the Gallican Church, always and from ancient times kept and observed in this kingdom'.[1] The historians favourable to the Jesuits have sought to attenuate the scope of this submission, saying that the declaration was in vague and general terms. Actually it was precise, with clear reference to the conclusions and decisions of the Council of State. Only there was an important datum in favour of the Jesuits, that it was not possible to speak of one official doctrine of the Theological Faculty of Paris, for even then there were still two currents, which in certain periods balanced each other, and which, either by the influence of the Court on the theologians, or by that of the various theologians on the Court, might alternate and create movements in public opinion. This was growing more and more divided for or against the Jesuits, their theories, their methods, and their power.

In that turbulent year of 1612, and after the formal submission of the Jesuits, the Bishop of Geneva, St. Francis de Sales, on June 2 wrote to the nephew of Paul V, Cardinal Scipione Caffarelli Borghese, a characteristic letter.[2] The saint saw that the polemics on the papal power were doing harm to the Church, agitating the kingdom, creating dissension among the clergy, and increasing the strength of heresy. He feared that when in a few years' time Louis XIII came of age, he would incline towards the anti-papal party (whereas his mother Maria de' Medici tended to lean rather towards Rome); he therefore advised that the Pope should turn towards the King, showing him confidence and kindness, to induce him to silence the controversies, and, by means of prudent prelates should obtain a reconciliation between the Jesuits and the Sorbonne (a matter for perspicacious approach to the Queen). In any case, the saint advised that the Pope's partisans should not reply to the attacks against the papal power, and that an authoritative word should be spoken to invite all to obedience and submission to the Crown.

[1]'Qu'ils sont conformes à la doctrine de l'école de la Sorbonne, mème en ce qui concerne la conservation de la personne sacrée des Rois, manutention de leur autorité royale, libertez de l'Eglise gallicane, de tout temps et ancienneté gardées et observées en ce royaume.'

[2]Published in 1935 in *Aevum*, Milan, Jan.–May.

The voice of Francis de Sales fell on deaf ears. He was concerned only with the kingdom of France, and with method, without touching the substance. But the onslaught on the papal prerogatives was general all over Europe, the Protestant countries included. The Roman Curia wanted to hold its own, both by means of its diplomacy and by means of publications and polemics, so that the substance of the rights of the Papacy should not be allowed to drop into oblivion in public opinion. Therefore, while blaming or restraining the Jesuits in their polemical fervour, Rome supported them and sometimes identified her cause with theirs.

The controversy had reached England, where James I was king. He prided himself on his theology and political philosophy and would give addresses and write pamphlets and books. The occasion for a recrudescence of anti-papism was provided by the Gunpowder Plot (1605), which was associated with the missionary and political activity of the Jesuits; the Provincial, Father Garnet, was hanged with the conspirators for having failed to reveal the plot. New measures of persecution against Catholics followed and the obligation of the oath was enforced with the utmost rigour; it denied the Pope any authority that might touch the power of kings. The theme interested England as much as France. Discussion on the oath was opened immediately by Cardinal Bellarmin and by George Blackwell. James I entered the lists in 1607 with his anonymous pamphlet: *Apologia for the Oath of Allegiance*. Bellarmin replied under the pseudonym of *Matthaeus Tortus*, attacking the King root and branch. Then James ordered his agents and ambassadors to publish all over Europe his reply, entitled *Triplici nodo triplex cuneus sive apologia pro juramento fidelitatis adversus duo brevia pp. Pauli quinti et epistolam cardinalis Bellarmini ad G. Blakvellum, etc.* It was translated into French and secretly circulated by the English ambassador in Paris. Henry IV wanted a reply to be written. This was entrusted to Father Nicolas Caffeteau, and Rome was not pleased, for it was feared that the Dominican would not wholly uphold the theory of the Curia. Bérulle joined in also, from the dogmatic standpoint, and other replies were made by Jesuits and by an ex-Calvinist, Hilarius, who was then esteemed as a fervent Catholic neophyte. The anti-English argument formed the theme for the

Lenten preachers in France, and the celebrated Père Coton was one of the most valid and successful controversialists.

The same year saw the publication of William Barclay's *De potestate papae aut et quatenus in reges et principes seculares jus et imperium habeat*, (London, 1609). It had a vast success in France and elsewhere, and many in the Sorbonne began to comment on it. Cardinal Bellarmin confuted it with his *Tractatus de potestati Summi Pontificis*, published in Rome in 1610. The Republic of Venice, which had prohibited the book of James I and then had hastened to send its ambassador Contarini to give satisfaction to the English sovereign, practically prohibited Bellarmin's book also. The Parlement of Paris by a special decision forbade anyone to 'print it, sell it or read it, under pain of proceedings for *lèse majesté*'. Suarez wrote, in 1613, a *Defensio Catholicae Fidei contra anglicanae sectae errores*, which James I ordered to be publicly burned. He protested to Philip III of Spain against harbouring in his dominions such a declared enemy of kings.

The controversy continued with varying degrees of heat throughout Europe, even when a certain calm had been re-established through the agreement between Rome and Venice, a less rigorous enforcement in England of the laws against the recusants, and the attitude of the French clergy in the States-General of 1614, even though they there defended the Council of Trent. Undoubtedly in France there were unfortunate incidents between Gallicans and Jesuits, but what brought renewed agitation, with still profounder consequences, was above all the anonymous writings or 'libels', among them the *Mysteria politica* and the *Admonitio ad Regem Christianissimum*, attributed, rightly enough, to two Jesuits. Richelieu, who was then at the helm of French policy, was clearly and sharply criticised, from the point of view of Catholic interests, sacrificed to aims of domestic and foreign policy. But Richelieu did not remain passive. The Parlement condemned the libels and forbade their circulation *under pain of death*. The assembly of the Bishops of France, in censuring the libels, through their official spokesman made such professions of regalism that they could hardly have gone further. Among other things, we read that it is matter of universal consent among peoples and nations, foretold by prophets and confirmed by apostles and martyrs, 'that kings are ordained of

God; and not only this, but they themselves are Gods . . . Yet it follows that those who are called Gods are Gods not by essence, but by participation; not by nature, but by grace; not for ever, but for a certain time, as being the true lieutenants of God Almighty who, by imitation of His Divine Majesty, represent His image here below'[1].

The bishops, on perceiving that their spokesman had overstepped all measure, drew back and modified this exaggerated attitude. There was a sequel, for Sorbonne, Parlement, Council of State intervened, and Richelieu pursued a policy of balance which it would be wearisome to follow, till a new and graver incident occurred, the '*affaire* Santarelli'.

Santarelli was an Italian Jesuit, who had written and in 1625 published in Rome a *Tractatus de haeresi, schismate apostasia, sollicitatione in sacramento paenitentiae et de potestate romani pontificis in his delictis puniendis*. Santarelli's thesis favoured the widest possible papal powers, with the customary declaration that the Pope could deprive heretical and schismatic kings of their kingdoms and release their subjects from the oath of allegiance. The whole book was in sheer opposition to Gallican theories. The Sorbonne therefore found an easy pretext for intensifying the struggle against the Jesuits, who, for their part, strove in vain to hide the copies of Santarelli's book in order not to pour fresh oil on the flames. The book was condemned and was burned in the house of the Jesuits itself, in the presence of all the Fathers. The superiors were obliged to subscribe to another declaration, graver and more precise than that of 1613, in which they declared that they repudiated and detested the evil doctrine contained in Santarelli's book with the rather comical addition that 'we are ready to shed our blood and risk our lives on every occasion in confirmation of this truth'[2], and so on. Not only the superiors but other fathers were forced to sign, and they did so reluctantly in order to avoid worse.

The affair had yet a graver sequel. The Theological Faculty of Paris

[1]'Que les rois sont ordonnées de Dieu; et non cela seulement, mais qu'eux-memes sont Dieux . . . Pourtant il s'ensuit que ceux qui sont appelés Dieux le soient non par essence, mais par participation; non par nature, mais par grace; non pour toujours, mais pour certain temps, comme étant les vrais lieutenants de Dieu tout puissant et qui, par l'imitation de sa Divine Majesté, représentent ici bas son image.'

[2]'Nous sommes prets d'épandre notre sang et exposer notre vie en toutes occasions pour la confirmation de cette vérité.'

assembled on April 4, 1626, and in censuring Santarelli's work proclaimed that the doctrine therein contained (which was the current doctrine on papal power in the Roman Curia) was condemned 'as new, false, erroneous and contrary to the word of God, rendering the dignity of the Supreme Pontiff hateful and opening the way to schism; derogatory to the sovereign authority of kings, which depends on God alone . . .'[1] The University of Paris, approving and praising the act of the Theological Faculty, made it binding upon all in a rigorous form, under pain of loss of titles, degrees and faculties, and the brand of infamy for all transgressors. The Parlement wished to register the University's decision in order to give it force of law, but the King (seeing the peril of a bitter conflict with Rome) wrote that the matter should go no further, in view of the fact that the Jesuits had repudiated Santarelli's theories. The Santarelli affair had echoes throughout the realm and the various universities more or less followed the example of Paris.

The attitude of Rome, up till the decision of the Faculty of Theology, had been one of calm and prudence, but seeing that matters were going from bad to worse Rome reacted as best she could, both diplomatically, and by means of faithful friends and servitors—the best known of these being Duval and the Oratorian Bérulle, later Cardinal —and also through Père Joseph, the Capucin who was Richelieu's intimate adviser and collaborator. From the plane of theological controversy and theory, the matter passed to the political plane, with closet-intrigues and compromises. Battle raged as though either the monarchy of France or the Holy See were in peril. Richelieu, who wanted to find a compromise, was placed by the Nunzio, Spada, in the alternative of either giving satisfaction to Rome or an open breach, and this within the year of 1626. At that moment a rupture with the Papacy might have proved dangerous to Richelieu's far-seeing policy, and, after much hesitation and conflicts with Sorbonne and Parlement, he so managed that Louis XIII himself ordered a reconsideration of the censure on Santarelli's book; in the sense that while its anti-monarchic and anti-Gallican theories might be condemned, no decision

[1]'Comme étant nouvelle, fausse, erronée et contraire à la parole de Dieu; qui rend la dignité du souverain Pontife odieuse et ouvre le chemin au schisme; qui déroge a l'autorité souveraine des rois, qui ne dépend que de Dieux seul . . . ' etc.

could be taken on points of faith, this being matter solely for Council, pope and bishops, and not for the University and Parlement. And it was no easy task to persuade the University and Parlement to accept the King's order, which was contested for many months with the ferocious pertinacity peculiar to scholars and men of letters.

The complete change in the orientation of political thought in France was largely due to Cardinal Richelieu's policy of strengthening the Monarchy. He imposed its dominance not only over the struggles between Parlement and University on the one hand and Jesuits and Rome on the other, but also over an undisciplined, turbulent aristocracy, jealous of the sovereign power, and the governors and local administrations, which claimed excessive autonomy at the expense of the royal authority—apart from his activity abroad, by diplomacy and wars, to enhance the prestige of France.

A similar trend is to be noticed in all the other European States, whether Catholic or Protestant. Everywhere there was an effort to subdue the aristocracy, which through the factions and wars of religion had assumed too strong a position in the face of the royal power, and the clergy, whether Protestant or Catholic, who, for different reasons, exercised too strong an influence in the courts and royal councils. The Jesuits formed a category apart. They were either looked upon askance by the upper court clergy, or else protected in every possible manner, according to the turn of events and the interweaving of interests. They had everywhere acquired two solid platforms, one among the people through education, preaching, and their church services (which were often gorgeous, appealing to the imagination), while on the other hand they penetrated into the Catholic courts as confessors to the King or Queen, with a well-defined office that no one any longer challenged. In Protestant countries they penetrated among the people and in the courts under the most varied guises, courageously facing the risks involved and shrewdly utilising their advantages.

They were, therefore, the objects of hatred and admiration, of boundless trust and of preconceived hostility. But their indomitable will, their iron discipline and their incomparable ability carried them to extraordinary potency, so that the struggle was rather against the Jesuits than against the Papacy and Catholicism, which they sought to

propagate, defend, and impose throughout the world. In their enterprises they held entirely to the structure of the Catholic Church, as it had taken shape from the Council of Trent onwards—rigid in dogma and in the discipline of the faith, uncompromising in regard to rights, yet deeply involved with the interests and political means of States and Courts and factions, in order to maintain the influence of the Church in the Catholic States and to bring back Catholicism to the Protestant States. To this end we have seen the Church favouring the League in France against Henry of Navarre and helping the rebel nobles with money and arms; favouring Philip II in his war against England, helping in the repression of the revolt of the Low Countries against Spain; moving King Sigismund of Poland to make war on Sweden in order to impose a Catholic restoration, and supporting the Hapsburgs of Vienna and the King of Bavaria in war against the Protestant princes.

But as the popular leagues and the revolts of great nobles give place to the growing ascendancy of the sovereigns—as in France under Richelieu and also under Mazarin during the minority of Louis XIV, in Spain under Philip II and Philip III, in Vienna under Ferdinand III, in Bavaria under William and Maximilian—the doctrine of the divine right of kings, even in religious matters, becomes more and more fundamental. The Jesuits themselves must drop entirely their Suarez, Bellarmin and Mariana, who stressed the democratic aspect of the origin of power; barely (and with repeated repudiations) are they able to maintain the indirect power of the popes, without any longer insisting (and such is the wish of their generals, who send cautious instructions from Rome) on the right of the popes to depose sovereigns and release subjects from their allegiance.

In any case, this theory was valid only in so far as the people had a voice. When all popular right, real or hypothetical, had melted away, when the aristocracy had been reduced to a court ornament, and the clergy had become a court clergy, the papal thesis could no longer be sustained otherwise than as a juridical hypothesis of positive law, that is, as a canonical or Tridentine ruling. This last refuge would henceforth be attacked on jurisdictionalist grounds. The new phase of this drama would still be set in Paris; the actors would be Louis XIV, Bossuet, and Innocent XI.

§ 32.—The Thirty Years' War closes the second period of the Counter-Reformation and opens that which moves from intolerance towards toleration. It would be superfluous to speak of the proximate causes of the Thirty Years' War and of its well-known phases—the Palatine (1618-24), the Danish (1626-28), the Swedish (1630-35) and the French (1635-48). What is interesting to note, for our purposes, are certain characteristic features, which make this war, in which nearly all Europe was engaged at once the last war of religion and the first hegemonic war of modern States.

As war of religion, its remote origin lay in the Treaty of Passau, which settled the position of Protestants in the Germanic Empire. But, whereas the Catholic princes had taken up strong and very intransigent positions in regard to the reformers, the latter, scattering their energies in dogmatic and biblical quarrels, had suffered no little injury. The motive was provided by the election of a King of Bohemia. Protestant princes and Catholic princes formed leagues; war broke out over what seemed a personal question—the choice of Frederick Elector Palatine or the Archduke Ferdinand—but at bottom it gave an opportunity for the Protestant princes to seek to get their own back against the Catholics of the Empire, and for the Empire to impose on the Protestants the rigid rules of the Counter-Reformation.

Little by little, all join in—Denmark and Sweden, England, Spain, France. Fighting goes on in Germany, in Italy, in the Low Countries, in Spain. The war of religion changes into a war for hegemony between France and Spain; the Catholic France of Richelieu allies herself with Gustavus Adolphus of Sweden and the Protestants of Germany, while Spain supports the Hapsburgs. This can truly be called the first hegemonic war of modern States, for though the wars between Charles V and Francis I, or between Elizabeth of England and Philip II, had been hegemonic wars, the conception of kingdoms as the patrimony of the reigning Houses, which was still alive in the XVI century, had now given place to that of States of a public character; at the same time the conception of States bound in an international solidarity, were it that of Church and Empire or that of Catholicism and Protestantism, had given place to the conception of States as completely autonomous and national. The religious phase of the Thirty Years'

War was swallowed up in the political and juridical phase. It is from now that the modern order of Europe begins.

These aspects of the historical evolution of the first half of the XVII century are thrown into light by the theory of '*reason of State*', by the formation of international law, and by the growth of theories of religious to leration.

The idea of 'reason of State', in its essential immoralism, is as old as politics. It is nearly two thousand years since Caiaphas's 'It is expedient that one man die for the people', and before Caiaphas the method was all too well known among all governments of all peoples. This notwithstanding, the systematic and theoretical presentation of 'reason of State', that is, of the superiority of politics to ethics, comes from Machiavelli. But in Machiavelli's time neither the term 'reason of State,' had been invented, nor was its anti-Christian and anti-moral content accepted as avowed political praxis, although Machiavelli's books had crossed the Italian frontiers and become known throughout Europe. Indeed an anti-Machiavellian wave followed immediately, to the point that the political ills of various countries were readily laid to the charge of the Florentine Secretary. The publicists of the Reformation and Counter-Reformation wished to be moralistic and affected an anti-Machiavellism that was only skin-deep. Machiavelli in reality was triumphing in all countries in the name of the religious passions, the political interests of thrones and of the people, but the noblest ends were put forward to justify the means that for a century drenched all Europe in blood.

Little by little the idea of the State had come into being, as something different from the realm or principality bound to a reigning house. The State meant a determined territory, no longer as the patrimony of a crown, but as an entity in public law, an entity as distinct from the sovereign as from the classes represented in the states-general and from the Parlements. The idea of public law was so far wanting; the idea of a contract between people and king, the idea of privilege for classes and corporations, the idea of spiritual and temporal power still prevailed. But the idea of an entity that would be in itself the source of power, right and force, summing up in itself all other rights, not through a private relation between the diverse individuals hierarch-

ically organised, but through a value inherent in the collective entity, had not yet emerged. It was being shaped by experience.

The rebirth of Roman Law, the conception of a law higher than contracts and derived from the nature of society, independent of any religious conception, laid the foundations of the conception of the modern State. And although Roman Law in the XVII century was not recognised as the fount of law for the greater part of Europe, which had still a complex legal system, canonical and feudal, yet it was penetrating into the systematic constructions of the philosophers and publicists. The idea of the modern State presented itself as already mature in the theory of *sovereignty*, which, fully worked out, made its appearance with Jean Bodin's *Six Livres de la République* (1577). For Jean Bodin sovereignty is 'the absolute and perpetual power of a republic'. Here republic means State, a very different idea from that of realm or king.

The 'subjective' sovereignty of the King was being transmuted into the 'objective' sovereignty of the State. The King was not above the law, free of the law; it was the State that was the fount of the powers of the sovereign. Bodin and the other publicists of the time still held to the conception of the popular origin of power, but without practical conviction, only as a means of rationally justifying the formation of society. What concerned them, however society might have been formed, was the establishment of an objective sovereignty, standing by itself: that is, the creation of the State-entity, or the State in public law.

The theory of the sovereign State was confused with two elements, which then could only with difficulty be distinguished. The first was the religious power in temporal matters, which in the reformed countries had become one with the secular power and in the Catholic countries presented itself dualistically, giving rise to the great controversy on the papal power (direct or indirect) over sovereigns. The second was the Divine Right of Kings, which excluded the collective factor, the people. The first element transported an extraneous power into the State, and the second transformed the objective power of the State into the subjective power of the sovereign, and made the King's conscience alone responsible before God.

To-day, with the experience of history behind us, we can see how the conception of the modern State expunged from itself both religious power, as extraneous (whether this power resided in the King or in the Pope) and the divine power of the King, as a power of extra-statal origin. But in the phase that we are studying we catch a glimpse of the State only through the idea of sovereignty. Its disengagement from the two elements extraneous to it will slowly come about with the triumph of jusnaturalism, yet a practical disengagement, in the ethical sphere, was beginning to take effect through the theory of 'reason of State'. This mysterious phrase, then, emerges when the idea of the State is identified with objective sovereignty and a public entity; its existence, its enlargement, its utility, its advantage are sufficient reason for the autonomy of politics. We do not mean by this that in the governments of the time politics were always and wholly divorced from any religious or moral concern, and that all were cynical and unscrupulous like Machiavelli's Prince. Indeed kings and princes had their ecclesiastical counsellors and even (the Catholic kings) their Jesuit confessors. And yet the conception of 'reason of State' was coming to prevail as a finality containing in itself both the religious exigencies of the population and an inner morality. Richelieu's *Maximes d'Etat* tend towards a separation of morality from politics. 'In State affairs it is not as in others; in the one case we must begin by elucidating where right lies; in the other by execution and possession'.[1] It is true that in Richelieu's writings there are pious affirmations and moral suggestions, but his hints at an autonomy of politics have in him another sonority through his action.

Gabriel Naudé (Mazarin's librarian,) in his *Considérations politiques sur les coups d'état*, speaks of two prudences, the one ordinary and easy, the other difficult and extraordinary, which was that which was then reigning. Without secrecy, St Bartholomew's Eve would have failed in its purpose, as would the murder of the Guises. According to Naudé, from time to time princes are compelled to abandon right in view of the common good, known as 'reason of State'. Naudé expresses the mind of Cardinal Mazarin. Joest Lips (Justus Lipsius) wanted

[1] 'En affaires d'Etat, il n'est pas comme des autres: aux unes il faut commencer par l'éclaircissement du droit: aux autres par l'exécution et possession.' (LXXX.)

sovereigns to be moral, but he admitted two moralities—that of private persons, which was more rigorous, and that of the sovereign who must have wider and freer scope because of the great, heavy and dangerous charge that he bears. 'He must sometimes evade and twist, mix prudence with justice, and, as they say, sew to the lion's skin if it is not enough a fox's skin . . .'[1] Yet the same Joest Lips sets three conditions before he will consent to this 'wider scope'—public utility, legitimate defence and a spirit of measure.

The Piedmontese Botero, a pupil of the Jesuits and for a time a Jesuit alumnus, was for many the theorist of the 'reason of State' of the Counter-Reformation, that is, of the use of political means, even of violence and dissimulation, (something more than the 'wider scope' indicated by Joest Lips) for the supremacy of the Catholic States and to crush the Reformation. The spirit in which the Houses of Austria, Bavaria, and Spain fought in the Thirty Years' War, showed this assimilation of the political cause with the religious, and in this they were encouraged by all Catholic forces, which counted on a complete victory of the Empire over the Protestant princes. Botero played no important part and his work does not rise to heights of speculation. He won fame through the title of his book, *Della Ragion di Stato*, published in 1589, which then seemed to suit the purpose of the Counter-Reformation since he set religion as the foundation of kingdoms. Thus Botero passed for the man who rendered Machiavelli's theories moral and placed them at the service of the Church and of the Catholic sovereigns.

Fra' Paolo Sarpi admitted 'reason of State' in the anti-curial and anti-ecclesiastical sense. Involved in the struggle against Rome and against the Jesuits, which was vigorously carried on by the Venetian Republic, he maintained the jurisdictionalist theses of secular intervention in ecclesiastical affairs, and in this he anticipated the spirit and ideas of the Febronianism of the XVIII century. But from the point of view of reinforcing the power of the Republic, he did not disdain that moral 'breadth' that was expressed in theory as 'reason of State.'

This theory in substance was the symbol of the emancipation of

[1] 'Il lui faut quelquefois esquiver et gaucher, mêler la prudence avec la justice, etc., comme l'on dit, coudre à la peau du lion, si elle ne suffit, la peau du renard' . . .

the political power from objective morals, represented for Catholics by the Papacy as religious authority, and for Protestants by the Bible as the living voice of God. For the sovereign there remained the bond of subjective morality, in his personal relationship with God, whose authority he reflected (with now no mediation either of Church or people). But the judge of this morality of conscience was the sovereign himself. If he was a Catholic he sought the support of his official confessor, and if a Protestant, of the court chaplain. This support was not always to the point, and often the harshest reprisals against adversaries in religion (Catholics or Protestants) were attributed to these court ecclesiastics, who were assuming a preponderant role—almost as great as that of the King's mistresses, who in those days had a public post and court honours.

Through this fact the theory of 'reason of State' (when it was not openly anti-ecclesiastical or libertine) assumed a moralistic character. Educational books for young and adolescent princes abound, and others teaching the art of government, all books professing the most unctuous morality, and thence arriving little by little at the conception of 'reason of State.' The theory that the end justifies the means is not openly proclaimed as in Machiavelli; indeed anti-Machiavellian tirades are not wanting, but at the same time the idea that the good of subjects, the stability of the kingdom, the glory of the prince, the peace of the Church must be the goals of the sovereign's activity, gives rise to that relaxation of ethical limits that would end by a contempt for right, a violation of human personality, and the promotion of useless and long-drawn-out wars.

As a reaction to this divinisation of the sovereign, there arose the conception of international law, based on natural law, The most interesting manifestations of this new thought are two great books on war, that of the Dominican Francesco da Vitoria, *De Indis et de Jure Belli*, which appeared in 1557 as a section of his *Relactiones theologicae* (in a very defective edition, which was later corrected), and that of Hughes de Groot (Hugo Grotius), *De Jure Belli et Pacis*, published in 1625. With these the names of Alberico Gentili, Suarez and Althusius must not be forgotten. We have already mentioned the conception of an international law, above States, regulating the relations between

sovereign States no longer bound together either by the religious-Catholic unity of Christendom, nor by the authority of the Holy Roman Empire. This international law could therefore be neither Canon Law nor the imperial-feudal tradition. The Law of Nature was making its reappearance in the juridical conception of the time, no longer as the ethical premise of the positive laws, canonical or traditional and the actualisation of eternal law, but as a rational imperative inherent in human nature. International law was the law of nature itself as applied to relations between peoples. Suarez had seen the danger of a similar theory, when he had maintained that international law was founded on the law of nature (*jus naturae*) but was not to be identified with the law of nature. He thus provided a primary motive of distinction between natural law considered as moral law, and its actuations in positive law, which should find their basis and their *raison d'être* in the moral law, though being themselves only its imperfect realisations, with an historical character.

But at the time this was not the prevailing problem, which lay rather in the quest for a firm platform in international law that would establish in objective form the rules of relations between States, when no tribunal could now be invoked that had authority over kings and princes. The sovereignty attributed to the entity known as the State led to an objective conception of its international limits, limits that could not fail to be fixed by a fundamental natural law that was just and recognised as such. The *jus gentium* or Law of Nations of the ancients, preserved and amplified by canon law, became autonomous international law.

The 'reason of State' invoked by each separate sovereign in the fulness of his powers—since he no longer bowed before the law of the popes, and indeed contested it in the name of sovereignty, nor any longer accepted the very pliable limits of subjective morality, which conflicted with power-morality—found a first barrier in international law. The wars of glory and prestige and the wars of religion had to come to an end as contrary to the criterion of international justice; just wars could not be other than those with a foundation in natural law juridically expressed.

The Treaty of Westphalia marks the end of the Counter-Reforma-

tion. The endeavours of a century, on the part of Rome and the Catholic princes, to bring back the Protestant States to obedience to Rome and to reconstitute Christendom, were doomed to failure. The Counter-Reformation succeeded in restoring to the Catholic Church a moral and disciplinary unity, a force of expansion, a dogmatic clarification, that were wanting in the Renaissance, but the politico-ecclesiastical conception of the monarchic Papacy found the Catholic princes and even the clergy mistrustful and hostile. The struggle between Protestants and Catholics for supremacy and to protect the rights of their minorities reconsolidated the principle of the Peace of Augsburg, which was confirmed at Westphalia, that of the State Religion.

In the meantime the elements of the new period were ripening in this century of strife. The absolute sovereignty of the States led to the pseudo-religious theory of the 'Divine Right of Kings' and to the pseudo-morals of 'reason of State.' The separation of the States among themselves and their disengagement from the authority of the Papacy led to the jusnaturalist conception which in relations between peoples created a secular international law, and in relations between the religious confessions would lead to a theory of toleration.

CHAPTER IX

THE PROBLEM OF RELIGIOUS TOLERATION

§ 33.—Several times in the two preceding chapters we touched upon the problem of religious toleration, as the course of events of Reformation and Counter-Reformation threw into relief the need for truce and peace. But, in the period we considered as extending from the beginning of Luther's revolt to the Peace of Westphalia (1517–1648), all attempts at toleration had no other result than to consolidate the principle of State religion (*cuius regio illius et religio*), and the religious, civil, and political inferiority of the dissenting minority.

At the same time, the idea of religious toleration, in the sense of an equal right of worship for all Christian persuasions, with no disability, either civil or political, attaching to religious faith, little by little gained ground among certain sects and men of culture, and penetrated the closed circles of courts and churches. We are not speaking of a merely political pragmatism, which has existed since the world began, usually under the aspects of choice of the lesser evil, or the practical interest of monarchy, country or church. We are speaking of a theory which, as such, had to find its place in a system of thought and its foundations in an ethical and social conception.

Readers will remember what we said of the theory of the two moralities, thrown into new light during the period of the Renaissance as an aspect of the theory of the two truths. It was logical that such a period should reach that typical toleration, when people of culture, the humanists, were fully free to speak and write as they did, under the aegis of popes and kings, with hardly any religious or moral limits to impede their philosophical research or artistic expression. Such tolerance reached the point of licence and undermined both religion and civil society, since it deprived truth and morality of their true value, reducing the first to an adaptation of the mind and the second to social utility.

It was natural that spirits thirsting for a truth to which an inner morality could correspond should react in the direction of reform. But the Lutheran reform, unable to resolve the antinomy born of the severance of social from inward morality, stripped the individual of his free will and made of social morality a legal and outward conformity. The logical solution, unforeseen though it was, was a State religion and intolerance towards dissenters; these might be left, as compensation, an individual freedom of enquiry and interpretation of the Bible, which did not resolve itself into ethical freedom—that is, an inner, autonomous complex, with no counterpart in political and social life. There are two truths and two moralities in Lutheranism also, which, instead of leading to the licence of the Italian Renaissance, led to the persecutions and wars of religion.

Among anti-Catholic critics, Lutheranism is generally given the credit for introducing into civil society the principle of religious freedom, which bore fruit in toleration; the tardy development of toleration they would explain as due not to the principles of the Reformation but to adverse historical circumstances before which the chief reformers had to give way. This reasoning (which certain superficial Catholic apologists also tend to accept, from an opposite standpoint), is invalid both historically and sociologically. The free enquiry proclaimed by Luther and spread by the Reformation was not, and could not be, an element isolated from the theological and political syntheses of the various Protestant theories. We cannot attribute to it an autonomous and thus a negative value. Free inquiry would have no meaning if, in the Lutheran conception, it were detached from Justification by Faith, the servile will, and the concentration in the Sovereign of all external powers, even where ecclesiastical matters were concerned; which implies politico-religious intolerance. Nor in Calvin's system of thought can free inquiry be separated from the theory of predestination or from the rigid religious-political structure of his communities. Luther and Calvin were therefore logical when they maintained the right of banishing or burning heretics, sectarians, and all those who by denying one of the dogmas resulting from the common interpretation of the Bible, denied at the same time the new Christian society and the basis of social power.

The historical process leading to religious toleration has other theoretical and historical roots than Protestantism. The case of Michael Servetus, burned alive in Geneva in 1553, through the intolerance of Calvin and the Calvinists, was the outstanding occasion for an explicit theory of toleration to be formulated by the so-called Italian 'Academicians' who had taken refuge in Geneva. They were humanists, who sought in the Reformation a higher spirituality and a rational purification, as hard for them to find in Geneva as anywhere else, in spite of the neophyte fervour of the Calvinistic communities of the time. They were opposed to the intolerance that this neophyte spirit carried to extreme lengths. Among the many who had gathered together in Geneva were Lelio Sozzino, or Socinius, and Bernardino Ochino of Siena, Castellione of Savoy, Gribaldo Mofa of Chieri, Blandrata of Saluzzo, Curione of Moncalieri, and Gentile of Cosenza, who, with several others, formed not so much a sect as an *élite* of free spirits, termed in contempt 'Academicians'. Religious as they were, wishing to be religious, they were rationalists before their time. They brought into the Reformation the critical spirit of Humanism.

To Lelius Socinius was attributed the pamphlet, published under the pseudonym of 'Martinus Bellius' a few months after the burning of Servetus, and entitled: '*De haereticis an sint persequendi et omnino quomodo sit cum eis agendum doctorum vivorum tum veterum tum recentiorum sententiae liber hoc tam turbolento tempore pernecessarius.*'[1]

Critical scholarship has led to the opinion that the book was mainly composed by Castellione in collaboration with Curione and perhaps with other Italian refugees from Bâle, where the spirit of Erasmus of Rotterdam still breathed. Castellione had already come into conflict with Calvin when, in 1551, he had published a Latin version of the Bible with, in the preface, a fierce invective against the use of torture and the stake. '*Quis non putet Christum aliquem esse Molochum aut eius generis aliquem deum si sibi vivos homines immolari comburique velit?*'[2] Théodore de Bèze replied immediately in defence of the Calvinists

[1]Of heretics, whether they should be persecuted, and in general how they should be treated, this book, very necessary in so turbulent a time.

[2]'Who would not esteem Christ a Moloch or some such god if He wished live men to be sacrificed to Him and burned'?

with '*De haereticis a civili magistratu puniendis libellus adversus Martini Belli farraginem et novorum academicorum Sectani*'[1] (1554). Castellione, for his part, renewed his attack with his well-known '*Dialogus inter Calvinum et Vaticanum*', which also for a long time was attributed to Socinius. The latter was the central figure of the Italian *élite*, and imprinted on the rest his powerful personality and his ideas.

Persecuted as heretics, some succumbed, others were reduced to silence. Ochino and Blandrata took refuge in Poland, where anti-trinitarianism began to develop, spreading as far as Lithuania and Transylvania; here it took the name of Unitarianism. Faustus Socinius, Lelius's nephew, summoned from Florence, joined with Blandrata to form its most important and active centre. The principles of their doctrine, called after its two true founders, uncle and nephew, by the name of Socinianism, were established in the Rakau Catechism, published in 1605, shortly after the death of Lelius.

Religious toleration in Socinian thought assumes a different aspect from that which it had in the Renaissance under the influence of the two truths. The Socinians sought to unify supernatural with natural truth, reducing the supernatural to a rational system. Some modern scholars have defined Socinianism as a 'supernatural rationalism', others as a 'rational supernaturalism'. The Socinians rejected the Old Testament, and in the New retained as matter for religious belief all that is accessible to human reason. All that transcends it, mysteries, prophecies, miracles, was set aside and left to free opinion. They thus hoped to find a unity of Christian thought in the points on which all the churches were agreed and to which reason assented by its own virtue. Since everything else was beyond the compass of reason and would not form an object of faith, no ecclesiastical or temporal authority could have the right to make belief in it compulsory. The theory of toleration thus received a fairly logical basis, through which motives of dogmatic dispute in the politico-social field would be avoided, and in which the State could count on a wide conformity. We say 'a fairly logical basis', not because such discrimination as to the value of the truths of the Gospel was logically or critically exact,

[1]Pamphlet on the punishment of heretics by the Civil magistracy against the nonsense of Martinus Bellius and the new Sect of *Academicians*.

but because, that principle once granted, however mistaken it might be, the consequence derived from it followed logically.

Protestants and Catholics opposed Socinianism as the worst of heresies, not only because of its denial of the Trinity, but because, while presenting itself as a religious sect and practising Christian worship, it led directly to rationalism and to a deism no longer Christian and supernatural. Therefore the Socinian theory of toleration, thus formulated, could find neither theoretical nor practical support. The Socinians were attacked and driven away almost everywhere, but in spite of this they survived in Poland and Transylvania, and penetrated into Germany, Holland, England, France and America. Their thought had an influence on the intellectual *élites* over a long period. With their evangelical rationalism and the theory of political toleration they combined a whole assortment of humanitarian notions. They denied the right of capital punishment, private vengeance, the legitimacy of personal self-defence, and the right of war. The more extreme went so far as to deny the secular authority altogether, influenced in this by the Anabaptists, with whom they were in almost constant contact. All this gave the Socinians something of the character of an anti-social sect, cast up from the depths of the medieval soul, coloured by the rationalism of the Renaissance and the mysticism of the Reformation.

It was in Holland that the Socinian theory of toleration was first and characteristically put to the test within the structure of the Calvinist State-Church. The Low Countries had been a prey to the struggles and wars between Reformers and Catholics, they had suffered the repression of the anti-Spanish revolt, they had been involved in the wars between England, Spain, and France. It was thought that the religious problem had been settled by the Pacification of Ghent (1576); it came up again at the Peace of Religion of Antwerp (1578). The Protestants soon after formed the Union of Uretcht (1579), and the Catholics retaliated the same year by forming the Union of Arras, in alliance with Alessandro Farnese and Spain. This was typical of what was happening all over Europe. Protestants refused freedom of worship to Catholics, Catholics to Protestants. Hence civil wars and general wars, revolts and conspiracies, truces and peace-pacts, edicts of toleration issued only to be violated or revoked.

A first movement of thought towards toleration grew up in Holland among the various Reformed currents, but excluding the Catholics or Papists, who, a month after the formation of the Union of Utrecht, had been deprived of such concessions as they had been granted. The sense in which the dogma of predestination was understood was a motive of dissent and division. Gaspar Coolhaers maintained, with the Socinians, the universal brotherhood of Christians. Theodore Coornhert had shortly before confuted the assertion of Joest Lips, that heretics must be persecuted with fire and sword; his book was published in 1593, a few years after his death, with the title *Defensio processus de non occidendis haereticis.* Others were of the same opinion, either by method or by system, and since the universities and congregations of the faithful in Holland were in a state of upheaval over questions rising from the dogma of predestination, the problem of toleration of dissenters was bound up with the latter.

At the University of Leyden the two parties called themselves by the names of their leaders, Arminians or Gomarists. On the death of Arminius (1609), the guidance of his party fell to Episcopio and Uytenbogaert, who published what was known as the Remonstrance, summing up in five articles the points on which they dissented from the Calvinists. The reply, the Counter Remonstrance, followed immediately, and thenceforth the two parties were also known as Remonstrants and Counter-Remonstrants. The upheaval that followed was so violent that the States published their decree of toleration, with a prohibition of any discussion of it in public. But Maurice of Orange, who had gone over to the Counter-Remonstrants, promoted the condemnation of their adversaries (1618). Oldenbarneveld was put to death, Hugo Grotius and his wife escaped from perpetual imprisonment, Episcopius and Uytenbogaert took refuge in Brabant, and others in Germany. On the death of Maurice, the Remonstrants were allowed back and were granted rights of worship and teaching on the same footing as the rest (1630–34).

It must not be thought that from the political standpoint the toleration granted to the Remonstrants or Arminians of Holland, who returned from exile in 1630, differed in spirit or motives from the toleration granted the Huguenots by the Edict of Nantes, in 1598,

or from other similar edicts frequently renewed in Europe, according to the outcome of agitations or wars, or changes in princes or ministers. There was, however, a difference which insensibly crept into the world of culture and into the formation of the mind of the XVII century, under the influence of Dutch thought, then predominant throughout Europe. The difference was that such toleration grew up (1) *between kindred confessions*, (2) *within similar political conceptions*, (3) *on a rationalistic basis.*

Socinianism, which brought the leaven of toleration into Europe, could itself never receive it, for from the religious standpoint it was reputed a negation of Christianity and from the political, an anti-social theory. While providing the rationalistic basis of toleration, it could provide neither the confessional nor the political basis. On the other hand, Catholicism in Protestant countries, and Lutheran or Calvinistic Protestantism in Catholic countries, could never obtain true toleration because, while there might be agreement on a given political conception, both parties ruled out the rationalistic plane, and on the confessional plane they had no sort of affinity. It was for this reason that Catholics and Protestants fixed upon the system of a State religion, and on a mutual intolerance mitigated by *modus vivendi.*

In the case of the Arminians, we find above all a confessional affinity. Though dissenting from Calvinistic orthodoxy, they were imbued with it both as spirit and as system. Therefore differences of interpretation led them towards a moderate rationalism on which to base toleration and in the unity of a State of federal tendencies they found the necessary practical elasticity. Though they differed from the Socinians, they too sought to restrict the body of Christian doctrine to the points common to the other Reformed confessions, to eliminate rigid interpretations, to resolve dogma into morals, and to deprive churches, synods, congregations of all effective authority, which they would hand over entire to the secular power.

This rationalistic tendency was seething in the midst of violent theological battles, and corresponded to the positive temperament of the Dutch. The Natural Law School found in Holland its precedents and its first ripe expression. Huig van Groot (Hugo Grotius), who like the Socinians declared against the death penalty, and who had

suffered prison and exile, in 1625 published in Paris his *De jure belli et pacis*, which marks a date in history. In 1646 he published at the Hague *De imperio summarum potestatum circa sacra.*

In the first work, Grotius developed the thesis of a *consociatio* as the origin of society, distinguishing between *consociatio in populum*, the society of the State, and *consociatio ex populis*, international society. Since the *consociatio* is made up of parts, either taken individually or as particular groups (*consociatio privata*), he declares that the original agreement to constitute a society attributes to the majority the power to act as a whole only in matters concerning the members as a whole—*ut universi*—and this cannot be said of religious matters. In his second work, Grotius distinguishes between a 'directive' régime and a 'constitutive' one; the first carries no obligation, the second does so. This may be constitutive *ex vi imperi*, or *ex consensu* ; the first has an imperative character binding all subjects, the second has no imperative character, but that of a *universitas legitima.* For Grotius, all true authority in both civil and ecclesiastical matters resides in the State, of which the *summa potestas* springs from Natural Right. Any other right recognised to autonomous bodies or to the Church is held to be delegated by the sovereign, since by its very nature the Church is merely a directive régime deriving from the *consociatio privata.*

The theory that all the particular communities, including autonomous regions, free cities, universities with their immunities, had no authority of their own but received it from the sovereign, was already widespread. Suarez had accepted and defended it. But Catholics put the Church beyond the compass of particular communities, in virtue of its supernatural and universal character. The Arminian current, and Grotius, who was imbued with its spirit, considered the churches as so many particular communities, religious 'colleges' freely formed by the faithful, co-existing within a State and subject to the sovereign authority. There was no objection in Protestant circles to investing the sovereign with ecclesiastical jurisdiction, so long as he was not the head of a determined official church, but the guardian of the rights of the State, of ethics, of order, of religion, of the hierarchy, of economic justice; it was for the ecclesiastical colleges to co-operate to ensure that such rights were respected, and to respect them themselves; the

clergy had no powers, but solely an office of persuasion, direction and moral and religious training. In all this Grotius anticipated the formation and development of Protestant 'collegialism' and Catholic 'jurisdictionalism', both founded on the conception of the Natural Right of the State as distinct from, and independent of any ecclesiastical right of supernatural origin.

§ 34.—When the Arminian current penetrated into England—through which the Socinian theories, brought by the Italian, Jacopo Aconcio, had been creeping for half a century—it received the name of Latitudinarianism. The persecutions of Catholics, which had followed each other with ever fresh ferocity, from the time of Henry VIII onwards, had produced among these no philosophical or mystical movement in favour of toleration. The Anglicans considered them as Papists, subject to a foreign power enemy to England, so that, forced on the defensive, they did not wish to seem less English than the rest or less faithful to the Crown. The question of the Oath of Allegiance divided them for a long time, into those who resisted, backed by the papal condemnations, and the others who wanted to find a compromise or who ended by taking the oath. A large part of Catholic efforts was directed to winning over kings and courtiers, so that Catholicism might be restored or at least given parity with the State Religion. But these hopes were nearly always ill founded, for in the political game between the Stuarts and their Parliaments, the two opposing churches, Episcopalian and Presbyterian, had more influence, and there was no room for a third church, enemy to both.

Thus in England, as in Holland, no theoretical basis existed for toleration of Catholics, who in these countries were the persecuted, excluded from civil life. The Act of Indulgence of Charles I in their favour was followed by harsher persecution. Milton, the champion of freedom of opinion and of the press, fierce fighter against the censorship, and favourable to religious toleration as he was, excluded Catholics, whom he wished to see treated as idolaters, allowed neither public worship as scandalous, nor private worship as an insult to God.

Cromwell during his Protectorate was harsh towards Catholics, not only for the sake of political conquest, as in Ireland, but from religious

zeal. During this period the struggle was for the supremacy of the State Church. The Stuarts stood for the Episcopal Church, and under Charles I the Civil War broke out through his attempt to enforce Episcopalianism in Scotland. Under Cromwell, on the contrary, Episcopalianism was suppressed and the Independents and Presbyterian Puritanism triumphed. The Stuart Restoration meant a return to Episcopalianism, to the Act of Uniformity and to anti-Puritan persecution. If the Catholics, for a short time, were then tolerated, this was not so much because of the Catholic Queen, as because they supported the absolutist theories of the Monarchy. But Parliament was watchful, and reacted with the Test Act of 1673, obliging all State officers to prove that they were Anglicans; thus James, Duke of York, lost the command of the fleet. James's Declaration of Indulgence of 1687 roused the country against him, and when he had his infant son baptised with Catholic rites, William of Orange, grandson of Charles I, with his wife Mary, daughter of James II, were summoned to take the Crown. The Act of Settlement of 1701 finally excluded the succession of a Catholic to the throne.

Within the religious struggle between the Churches, the struggle for political supremacy was taking place, and the two were so intertwined that for a long time they could not be envisaged apart. James I had an unlimited conception of the Divine Right of Kings; the royal hereditary succession was to him a constant realisation of the divine will. The King was as the trustee of this divine will, and was responsible to God alone, not to men. Parliament had been given to the people by a sovereign concession which could always be revoked, and it had no rights over the Crown.

To maintain this thesis in practice, James had need of a force that could be opposed to Parliament, and this force was the Episcopal Church. Parliament, for its part, claiming as it did that it represented the people in an autonomous and legal manner, that Ministers must enjoy its good graces and answer to it for their actions, that it had the right to limit the powers of the King, had no other mode of asserting itself than by leaning on the opposite forces, principally on Presbyterianism and on the other anti-Episcopal currents.

The support of opposing churches either to Monarchy or Parlia-

ment carried with it the favour of the secular power to one church and intolerance towards the other. The vanquished fled either to France or Holland, or to the transatlantic colonies which were already developing. The famous Pilgrim Fathers of the *Mayflower* in 1620 opened the way for those impelled at once by attachment to their religious faith, by quest of a livelihood and by desire for adventure. The alternating political vicissitudes of the eighty years of the stormy Stuart period, and the resulting successive religious persecutions suffered by all the Churches and sects existing in England, Scotland and Ireland, provided the impetus and motives for the development of ecclesiastical latitudinarianism and of the political speculation that culminated in Hobbes and Locke. The latitudinarian theory percolated into a wide portion of the intellectual *élite* under two aspects: on the one hand continual persecutions brought a sense of the need for religious appeasement, and the most suitable means for mitigating the conflicts over ritual and theology seemed the reduction of Christianity to the points common to the various antagonistic confessions, while on the other the defence of freedom and parliamentary privileges led men to seek the basis of political society and of a certain religious toleration in the idea of Natural Law.

An early latitudinarianism was the fruit not of theories but of sentiments and of a certain religious pessimism, which Francis Quarles (1592–1644) expressed in his verses. John Dury (1596–1680) is the first to give systematic form to latitudinarian principles. (He was in touch with the famous Calixtus, who was working for the unification of the churches.) His *Summary Discourse concerning the work of Peace Ecclesiasticall* appeared in 1639.

Side by side with the latitudinarianism of Arminian origin, there developed the Erastian current (called after the German Erastus, who had denied the Church the right of excommunicating and of withholding of the Sacraments); this maintained the complete supremacy of the State in religious matters, so that a subjection by conviction should lead to an external pacification in uniformity. Sir Francis Bacon (1561–1626) was not sensible of religious problems; his philosophy was at bottom not so much rationalistic as utilitarian. Thus his appeal for religious moderation sounds a note of detachment rather than of effec-

tual intervention. His attempt to construct a tolerant Anglican church led him to deny the Church any religious authority, which passed to a conformist and tolerant State. It was Erastianism, as conceived in England. But the two terms were contradictory; a State-cum-Church as such could not be tolerant.

On this point ideas were in ferment and the choicest spirits carried away by passion. Milton in his *Areopagitica* (1644) defended freedom of the Press against the censorship which had been restored by the Presbyterians, then triumphant. This specific problem revealed the other and deeper one of religious toleration, which the Independents championed against the strict discipline of both Episcopalians and Presbyterians. Milton's position was a political one, concerned with the English parliamentary system, which implied freedom of opinion and of the Press; it was also politico-religious, since, considering the question of hierarchy and worship to be secondary to that of inner spiritual revelation, he envisaged the co-existence of the various religious opinions and sects, the Catholic excepted, as part of a free political régime. Cromwell sought to bring about something of the kind with the 'Protectorate Establishment', by which he created not a State Church but an institution for 'preaching and teaching', without hierarchy, rites or Sacraments. It was natural that this should lead to ecclesiastical persecution (apart from the persecution of Catholics) and to intolerance.

Thomas Hobbes sets aside the religious or ecclesiastical preoccupations that were still strong in the latitudinarian Independent and Parliamentary currents, taking his stand on the conception of Natural Law, which he substituted for the Divine Right of Kings. Thus he secularised absolute power but maintained its character of entire and unlimited sovereignty. He was the first who, with the modern conception of society, sought to overcome the dualism of People and Sovereign, which still existed (as it does in Grotius) through the survival of the medieval idea of corporation. For Hobbes there is no true contract between the people and a head either chosen or imposed by circumstances, for the people without a head is an amorphous mob with no organic cohesion. Only when it has a head is there society; in that moment the multitude ceases to be a multitude and becomes an organism. This transition, by force of nature, leads to a concentration of

powers in the head, powers plenary and illimitable; it is therefore a completed and irrevocable act. Any retrogression, any limitation of powers, would mean the resolution of society into an incoherent and disorderly multitude; the social organism would cease to exist. By transferring their freedom to the head, individuals remained deprived of it, but in becoming members of a society by a kind of natural determinism they acquired a faculty of action that liberty alone did not assure to them.

Hobbes had thus an intuition of the essence of the modern State, but he suppressed all dynamism that might result from the duality 'people and head'; this duality he would abolish by resolving it into a formal monism of power. There was no room in such a conception for any individual religious liberty, nor for any toleration of dissenting denominations. By a series of tortuous interpretations of pre-Christian religions and of Christianity itself, he cuts away the foundations of an individual obedience to the law of God in conflict with the law of the State, for, since the establishment of Christianity in the world, the sole interpreter of divine and natural law is the sovereign, who has therefore the right to decide to what persuasion his subjects must belong. This conception did not seem strange in the mental climate of the age, when the Peace of Westphalia had confirmed this faculty to the princes of Germany by the *jus reformandi* and when in England war was waged for the supremacy of the official church. Hobbes' *Leviathan* was published in 1651, after the Civil War and under the Protectorate; it was written in Paris at the beginning of the reign of Louis XIV, during the *Fronde*.

When he returned to London, after the Restoration, Hobbes engaged in prolonged philosophical and political controversies, especially on liberty. His determinism irritated the religious currents and his absolutism the parliamentary ones. The ferment of ideas and passions at that period was remarkable. It was the time when George Fox started to spread Quakerism, founding the Society of Friends, insisting on the personal aspect of religious experience and maintaining the possibility of complete victory over sin. The spread of Quakerism was swift in certain zones intolerant of ecclesiastical formalism and political conformity; therefore it was fiercely opposed by both Episcopalians and Presbyterians. Cromwell's Parliament treated the Quakers with ex-

treme harshness. Persecution continued under the Stuarts, and many emigrated to the Colonies. They saw in individual liberty a means of forming strong social nuclei, and thus permeating society with their religious spirit through the efficacious action of groups. Through freedom, as political method, truth finds its own way in the midst of errors; through freedom conceived as spiritual union with God, the way is opened for the duty of conscience. Thus for the Quakers toleration was not a sign of religious indifference, but a possibility of proselytism. They, however, far more than the Arminians and Latitudinarians, had emptied Christianity of dogmas, sacraments and rights, reducing it to a mystical moralism. From Socinianism they had taken its opposition to war, to the death penalty, to torture, and, in general, to absolutism of power.

In 1666 John Locke published his *Essay Concerning Toleration*, in which he anticipated certain of the leading ideas he would treat in his maturity, after his experience of political life, his exile, and his acquaintance with the various centres of culture in France and Holland. Educated in Puritanism, he had felt its narrowness and intolerance; the Independents disgusted him by their arrogance; in contact at Oxford with the Anglican Platonists, he disliked their formalism and was repelled by their spirit of domination. Socinians, Latitudinarians, Arminians in Holland, Cartesians and Rationalists in France, exercised an influence on his mind, dedicated as he was to scientific research and philosophical speculation, and involved in political vicissitudes as a follower of Lord Ashley, later Earl of Shaftesbury. The question of toleration came again to the fore in all the Protestant centres of Europe during the acute period of Huguenot persecution in France, which culminated in the Revocation of the Edict of Nantes in 1685 and in the dispersion of the Huguenots to England, Holland, Germany, Sweden and elsewhere.

Immediately afterwards, affairs in England came to a climax. The flight and deposition of James II, the result of his 'Papistry' and of his absolutism, gave the triumph to Parliament. The latter, in giving the crown to William and Mary (1688) wished to proclaim its rights in a solemn document; it is from this moment that the State begins to move towards democracy.

But the problem of religious toleration still remained unsolved. William took the initiative. With the Arminian ideas he had brought with him from Holland, he wished to establish Protestantism as the State religion, reducing it to a minimum of beliefs compulsory for all, while allowing the several communities freedom in interpretation and rites. It was a compromise between the theory of a State Church and free collegialism. But the proposal was thrown out in the Commons, both by the Episcopalians, who did not wish to give up their hierarchy and ritual, and by the Independents, Baptists and Quakers, who would not consent to even a minimum of hierarchy and ritual. Finding it impossible to discover a religious formula acceptable to all, William introduced civil toleration by the Act of Toleration of May 24, 1689, by which Protestant dissenters were exempted from the penalties and disabilities established by former laws, when practice of the official religion was obligatory. By this Act, they were allowed the public practice of their form of religion; Presbyterians, Independents, Baptists and Quakers benefited by it, while Unitarians or Socinians and 'Papists' were excepted. Against these, political and religious prejudices were strong. In regard to the Catholics, no further reason was required than their dependence on the Pope, considered as a foreign Sovereign and Head of a Church that claimed authority over kings. There were at that time lively repercussions, in every court of Europe, of the Gallican dispute between Rome and Paris.

It was in the year of the Act of Toleration that Locke published his famous *Epistola de Tolerantia*, followed by other letters, printed a year later (1690), when he also published his Two Treatises on Government. Locke too is a jusnaturalist, but differs from Grotius and Hobbes in stressing the individualist tendency that would dominate the thought of the next century. For him, the community is merely a co-partnership of individuals, who remain as such even once they have united in a society. The social contract does not deprive them of their personal rights, but introduces an order and regulation, to be fully determined by the majority; the majority law, too, must be established by contract. Locke bases the problem of religious toleration on a naturalistic conception. Starting from the idea (which is perfectly correct) that the State has not and cannot have authority over souls, he denied it the

right to oblige its subjects to profess a given form of religion or to constrain them by penal laws. As against the system of a State religion, on the other hand, for him the Church is merely a voluntary society formed by the faithful who accept a given creed and submit to a discipline of their own; if they do not want to belong to it, they have but to leave it; if the Church authority finds a member of the faithful to be incorrigible, it can expel him if it so wills. In such a system, the co-existence of the Churches (which Locke bases on mutual respect and the spirit of charity), must be tolerated by the State, which cannot but allow their public worship.

To this system of religious freedom Locke foresaw four exceptions —first, those who professed subversive theories against the State and the well-being of society; secondly, those intolerant sects that maintained that their members were not obliged to keep faith with heretics and boasted that they could depose an excommunicated king; thirdly, those who went over to the foreigner as head of their religion, and were therefore ready to fight against their own sovereign; fourthly, atheists, for atheism is contrary to the consistency of society. The second and third exceptions were aimed at Catholics, as they then appeared even to enlightened Protestants. The difference between Milton and Locke, where Catholics were concerned, was that Milton considered them from the religious standpoint as idolaters, Locke from the social-political standpoint as intolerant, disloyal and dangerous to the State, since they were subject to a foreign sovereign.

The half-century or less that separates Milton from Locke had brought the affirmation of a Natural Law common to all men, and forming the basis of society; the secular conception of the State, as freed from religious features and functions, is on its way. Whereas the Socinians and Arminians sought a basis for religious toleration in a rationalistic reduction of the Christian creed, the jusnaturalists sought it in the free co-existence of all religious confessions, without the direct intervention of the State. The universal Christian Church through the Reformation had been reduced (except for Catholics) to territorial churches; toleration brought the further stage of collegial churches. Historically, Universal Church, territorial churches, collegial churches, clash and interpenetrate and develop according to the conditions of the

various countries. The persecutions and measures of toleration which alternated in Great Britain, drove the persecuted and the refractory to the American colonies, where they sought independence and religious liberty, together with those others who sought wealth and adventure. Thus, in the XVII century, here and there in the English colonies we find interesting and characteristic experiments in religious toleration, together with extreme intolerance.

George Calvert, Lord Baltimore, received from Charles I in 1632 the grant of the territory of Maryland, under the condition that he and his successors would never exercise the rights conferred on them in such a manner as to bring prejudice to the '*Sacrosanctae Dei verae christianae religioni*'. He and other pioneers, mostly Catholics, opened the colony to all those who accepted the Christian religion, inviting from other colonies both the Puritans persecuted by the Episcopalians and the Episcopalians persecuted by the Puritans. In order that no-one should find practical obstacles in the way of profession of his particular faith, Lord Baltimore and the assembly of colonists decreed that cases connected with marriages or wills should fall within the competence of the civil magistracy. This régime of toleration was revoked a first time when the majority of the Assembly became Puritan. Encouraged by the triumph of Puritanism in the mother country, they rebelled against Lord Baltimore and for the Act of Toleration of 1649 substituted the Act Concerning Religion of 1654, by which they denied all liberty to 'Papists and Prelatists', that is, to Catholics and Episcopalians. With the Stuart Restoration, Lord Baltimore regained his rights, and, with an Assembly that was in part Catholic, restored the régime of 1649. All this lasted only till the accession of William of Orange. The English Act of Toleration of 1689 was extended to the American colonies, and even in Maryland Catholics lost all rights.

Another English colony in America into which toleration was introduced at a time of harsh persecution was Providence, founded by Roger Williams, a man of Arminian tendencies. He, after suffering various persecutions in the English colonies, from 1631 to 1636, decided to found a new colony with a democratic government which would not interfere in religious matters, allowing all full freedom of conscience. After Providence, he founded other colonies, assisted by the dissenters

of various persuasions. At the same time Samuel Gorton was founding new centres open to all.

The most famous of such colonies was that founded by William Penn and called after him Pennsylvania, where the Quakers, so harshly persecuted in the other colonies, could have complete freedom and offer it to many others, including Catholics, towards whom Penn had always shown sympathy. But—the residue of prejudices and struggles—in Pennsylvania Catholics were denied access to public office, unless they declared in writing that they did not believe in Transubstantiation and that the cult of the Virgin was a superstition.

The movement towards toleration, which had grown up in the English colonies on American soil, was facilitated by the fact that the colonists could migrate from one State to another, found new cities and new independent centres, and themselves fix the forms of their civil and religious life. But the prevailing spirit in English America was one of intolerance and confessional rigidity; the colonies received the backwash of religious-political movements in the mother country. When Episcopalians or Presbyterians were persecuted in England, they were persecuted in the colonies, with the sole difference that here dissenters had not to seek a refuge on foreign soil, but could go from one colony to another. By the Act of Toleration of William of Orange all Protestants and dissenters received equal rights in America, except, as we have seen, Unitarians or Socinians and Catholics. Thus the XVII century closed in Great Britain and her colonies, with '*toleration among kindred confessions within similar political conceptions on a rationalistic basis*'.

§ 35.—In Germany, jusnaturalism found its first real exponent in Johannes Althusius, who in 1603 published his *Politica metodice digesta.* He was not a Lutheran but a Calvinist, and as such combined the popular conception of the State with a close connection between State and Church. His political system, however, led him to secularise the State, making it the expression no longer of Divine Right but of Natural Right. Unlike his great Latin contemporaries, Bodin and Suarez, who attributed to the State alone the character of an authoritarian society, from which all other bodies derived their rights as concessions, Althusius maintained the originality of each social form

(family, guild, city or municipality and province), and made of the State a federation of municipalities and provinces. According to him, every social entity springs from the contractual will of individuals, either as single persons or as already constituted groups. The sovereignty of the State is compatible with the autonomous existence of the other groups, for the State is an *universalis publica consociatio* with a *potestas publica universalis*. But at every stage of association, the social contract, by developing a specific life in common, creates the correlative power necessary to its complete existence. This power would be initially a *potestas privata*, as in the family or corporative association (*Genossenschaft*), but when a group succeeds in asserting itself as a territorial whole, it then becomes a *potestas publica*, where its specific functions are concerned, till the stage is reached of universal political society in the State. The State therefore is of a federal type, neither absolutist nor absorbing everything into itself or, as we should say to-day, totalitarian.

Althusius sought to reconcile the medieval corporative conception with that of modern jusnaturalism; he represented a phase of transition.

With Pufendorf we reach the maturity of German political thought of the XVII century; his influence was considerable and assumed a special character in regard to religious toleration. Between Althusius and Pufendorf there lay the Thirty Years' War, the Peace of Westphalia, the growth of Dutch Arminianism, Cromwell, Hobbes, the Quakers, and the Stuart Restoration in England. When he wrote his *De habitu religionis christianae ad vitam civilem*, the Revocation of the Edict of Nantes had had an immense repercussion throughout Germany. Pufendorf bases his theory of toleration on a kind of natural religion. No one should be forced to adopt a given religion. Those who would not accept a minimum of natural religion should be expelled from civil society, or else tolerated on condition they behaved decently and refrained from propagating any subversive ideas. He went further than Locke on the path of toleration, since he did not exclude Catholics from the free profession of their religion, and accorded to atheists a possibility of escaping pursuit. This breadth of view sprang from the purely naturalistic conception of society, as culminating, either federally, as maintained by Althusius, or monistically, as maintained by Hobbes, in the State. The idea of a universal Church inde-

pendent of the State and under certain aspects superior to it, was alien to the jusnaturalist system, even if its writers recognised the supernatural character of the Christian revelation and held the Bible as an inspired book. Although formally they dealt with the relations between State and Church as between two entities, and considered the various Christian denominations as corporate bodies, free associations, *systemata subordinata*, and the like, in substance they dealt with the relations between individuals and society, and with this approach there could be no relations other than those of a natural order, fundamentally individualistic. The Church no longer integrated the State as in the Middle Ages. It was not absorbed by the State, as in Lutheranism. It did not form with the State a single spiritual complexus, as in Calvinism. But it fell within the orbit of the State as simply an activity of individuals, who could freely meet together to that end, so long as they did not conflict with the ends, activity and responsibility of the public power. This does not mean that the jusnaturalists ignored the importance of religion and the office of the Church, but only that the theory they upheld led logically to the secularisation of the State and to social individualism in the religious field.

We must realise that jusnaturalism had its greatest and most characteristic development in Protestant countries, through Protestant thinkers. The State in these countries had between the XVI and XVII centuries assumed the form of State-cum-Church. The Head of the State was the Head of the Church. The State had its own religion. In Germany and the neighbouring countries the Peace of Westphalia had definitely consolidated the principles of the Peace of Augsburg of 1555, with all the adjustments, whether on the change of religion of a sovereign, or the question of usurped or confiscated properties, or ecclesiastical communities, or nonconformist minorities, that had been introduced in the course of the experience of nearly a century.

In the Empire three confessions were allowed, the Catholic, the Lutheran, the Reformed: '*sed praeter religiones supra nominatas nulla alia in sacro Imperio Romano recipiatur vel toleretur.*'[1] Thus the *Instrument of the Peace of Osnabrück*. These three confessions enjoyed legally exact

[1] 'But besides the religions above-mentioned, no other shall be received or tolerated in the Holy Roman Empire.'

and mutual equality—*exacta mutuaque aequalitas*. In actual fact, every sovereign or prince of the Empire, Austria excepted, enjoyed the *jus reformandi*, through which he could opt for one of the three confessions, and, by the *jus reprobandi*, expel from his State those who did not wish to follow him. On the other hand, the dissenting minorities could ask hospitality from another prince, and he could accept them in virtue of the *jus recipiendi*. This implied among the dissenting populations the *beneficium emigrandi* from one State to another. The system was based on two fundamental conceptions: (*a*) the territoriality of the religious community; (*b*) the Protestant type of State-cum-Church. Even the Catholic countries of the Empire, though depending on Rome in religion, formed State-cum-Church units. The jusnaturalist conception undermined these foundations, since it made of the State the universal and sovereign natural society on its own territory, with no bonds or limitations from any given church, and it reduced the Church to as many free collegial communities as there were forms of religion.

To this jusnaturalist conception Pufendorf gave a juridical structure centred in the idea of the *persona moralis*. He distinguishes between the *persona moralis simplex*, the individual under a given aspect or legal quality (such as the *paterfamilias*, the *civis*, the *minister*), from the *persona moralis composita*, that is, the social forms, from the family to the State, and including the Church. When the will of one unites with the will of others, in due manner and for characteristic ends, then the composite *persona moralis* is formed. Pufendorf sees every group of persons under the aspect of moral-juridical relationships, which acquire a clearly defined consistency from the moment they have a head invested with authority. Whether society be conceived of as co-participation or as community or as representation, it will have an ethico-legal value in so far as it succeeds in becoming a *persona moralis*, that is, a characteristic mode of being of the actual persons who have joined together. The *persona moralis* is in itself finalistic, and in its finality autonomous.

Although Pufendorf's theory of society soon fell out of fashion before the advance of the theory of individualistic representation, it nevertheless fulfilled a useful function in the evolution of law and the consolidation of the new political conception, which was tending towards the release of the State from the influence of the official Church. The close

union between the two, in Germany and elsewhere, had become a stranglehold. The type of State that was then developing in Prussia had undoubtedly an influence on Pufendorf's thought. Prussia was beginning to set the example of a State which through its financial and military organisation had liberated itself from the nobles and from the Church. The monarchs of the XVII century sought to subject nobles, clergy and middle classes to their dominion. But, since the States had neither an independent and stable finance, nor a large and well-organised army, they had to have recourse to nobles, clergy and parliaments in order to keep the royal treasury in a sound condition and to maintain and renew their armies and fleets. Hence, in return, continual concessions to the clergy for the supremacy of their church, to the parliaments and nobility for their privileges and their display. In Prussia, from the time of Frederick-William I, the Hohenzollerns conceived of a military State, based on the bourgeois people, free from clergy, nobility and assemblies; a State, strong in itself, which thus became the sole and effective territorial authority. The idea of achieving a State complete in itself, with no need to lean for support on clergy or nobility, unhampered by parliaments, and which at the same time would be the expression of each individual resolved into the authority of the head, was bound to allure the German theorists, who sought to overcome the religious-political dualism by unification of the State and religious freedom.

Speculative research was complemented by positive research; religious toleration was studied in the interpretation of German law. Among the Protestants there came into being a current which interpreted the treaties of Westphalia in a liberal sense; the three authorised confessions were considered from the standpoint of public worship, never as domestic or private religion. Since religion was an intimate personal concern, freedom of conscience could be denied to no one; not only the prince had the right to choose his own religion, but each of his subjects. Such was the theory of J. H. Boehmer; his pupil C. H. Fuehrman developed the same thesis in his study on the *Civil effects of religious toleration in the letter and in the spirit of the Peace of Westphalia.*

Through the influence of the Natural Law School in Germany the

idea of toleration for dissenters outside the three authorised confessions gained ground steadily. The system of territorial churches persisted, but with a perceptible tendency towards the collegial system. In practice, the aversion between Catholics and Protestants remained, even in the following century, through the position of irreducibility each maintained towards the other, in spite of practical compromises dictated by political exigencies and by the tangled dynastic interests which the wars of the time brought to the fore and rendered urgent, and which were favoured by unexpected successions. The multiplicity of the German States made it easy for dissenters from one State to be received in another; the opportunity of developing industries and trades and of procuring specialised workers made the princes ready to avail themselves of the *jus recipiendi*. Wars, dynastic successions and practical interests provided frequent motives for applying to religious confessions the toleration preached by the jusnaturalist theories, which developed in spite of the opposition of the clergy and of the Westphalian traditionalists.

The Baltic countries, Denmark, Sweden and Norway, which had become Lutheran more through political interest than through religious crisis, after the first period of struggles and truces, became the most enclosed and intolerant States of Europe, and maintained the rigidity of their system till the XIX century. The few concessions made to the Huguenot refugees were due to the reaction provoked by the revocation of the Edict of Nantes; others, to Catholics, were of a diplomatic character, the result of pressure from the courts of Paris or Vienna, or else in order to obtain from other States specialised workers for new industries. No current of thought penetrated the Baltic countries till the period of the Encyclopaedia. There was no effectual mitigation of the system of a single State religion, the Lutheran, which unified Church and State.

In Switzerland, the problem of toleration was raised from the first period of the Reformation. From then till 1712, in German-speaking Switzerland there were four periods of war, followed by four peace pacts. The principle at stake was that of *intercantonal parity* between Protestant and Catholic lands, which led to *cantonal parity* between religious majorities and minorities. The wars were caused by mutual

intolerance and ended with the most meticulous prescriptions to equate the rights of the victorious party with concessions to the vanquished. The system of territorial churches and the *jus reformandi* of the Protestant majorities were the outcome of the peace of 1529; parity was won only with the peace of 1712.

In French-speaking Switzerland, though there were no wars between the cantons—only wars with the princes of Savoy, against an attempt to restore Catholicism—yet religious intolerance lasted without mitigation. The influence of Alfonso Turrettini, a Genevan of Italian origin (1671–1737), who preached universal appeasement and mutual toleration, had small effect on the development of Swiss thought. In Switzerland, the conception of the canton, as city and State, combined with the strictest religious observance and the safeguarding of the independence of the country, formed a strong and inelastic nexus. Local wars assumed the character of a defence of families, villages, communities, local traditions and interests. All this strengthened the ties between civil and religious life, between magistrates and ministers. The jusnaturalist currents could find no supporters behind the Swiss mountains. Aspirations to freedom of conscience in order to pass from one to the other of the two recognised confessions or to profess another form of religion, found no motives in men who for two centuries had fought with arms and with their votes (in the cantonal administrations), to defend their own religions, to which each family was bound by traditions of loyalty and heroic memories.

Owing to the rigidity we have noted in the Baltic countries and in Switzerland, and also to the various vicissitudes of the German Empire, through wars, struggles, persecutions and intolerance, the Protestant churches were riddled with sects and undermined by philosophical and juridical speculation. The tendency towards toleration came most to the fore where the need was greatest, that is, where the absolutism of the monarchy and the intransigence of the clergy were strongest. It gained credit through the support of the Universities; it spread with the books, pamphlets, reviews and papers, published chiefly in Holland (the undisputed centre of culture in the XVII century), which poured into every country in Europe, in spite of the watchfulness of the customs officers and the rigour of the criminal and religious laws.

§ 36.—In Catholic countries, or those where the majority and the monarchy were Catholic, there was no real basis for a movement of ideas and feelings towards toleration, neither moralistic, naturalistic, nor mystical. The Socinian current remained crystallised in Transylvania and a few scattered centres, in small local sects, the most notable that of the Polish Brothers, or among isolated scholars. In spite of this, the Socinian spirit circulated in various guises, but it was less a question of true Socinianism than of a residue of the humanistic currents of the Renaissance, which had filtered through the discipline of the Counter-Reformation. Stoicism had an attraction in the intellectual and moral fields. Montaigne was its most famous and loftiest exponent. The Libertines, (when they were not simply *bon vivants*), were not concerned with religious dogmas, and whittled down individual morality to the point of licence. In philosophy they were moderate Epicureans, like Gassendi, or else sceptics of the type of Saint-Evrémont's *honnête homme*.

The man who had an immense influence not only in France but in many other parts of Europe, and on Catholic culture itself, was Descartes. His rationalism, it is true, brought him into conflict with traditionalists, scholastics and mystics, but his attitude of questioning everything, starting from systematic doubt and resting on the certainty of his own thought, was for many a liberation from the authoritarian systems of culture and a vindication of the power of reason. To reconstruct everything in the geometric spirit, to eliminate the obscure movements of reality in obedience to the '*idées simples et claires*' was a means of reuniting the world of metaphysical certainty to the physical world of mathematics. Galileo in Italy with his scientific criticism was attacking the a-priorism and dogmatism of the scholastics of his time, as applied to the physical and astronomical sciences; Descartes in France was building modern philosophical rationalism on criticism of thought.

The first application of rationalism to criticism, in history, scholarship and religion, showed at once the need for a limit, the lack of which made Bayle himself feel the imminence of a general scepticism. Rationalistic criticism furnished the basis of history in its two-fold aspect of ascertainment of fact and systematic exposition. It is true that the first encounter between rationalism and historical criticism gave a dizzy sense of destructive pyrrhonism, but immediately after came Leibniz,

Mabillon, Muratori, Vico. The same thing happened in the other fields to which rationalistic methods and criticism were applied, including the Bible and morals. But, whereas biblical criticism remained confined to a circle of erudite scholars, and met with immediate obstacles from the traditionalists and the Church itself—among Catholics, the boldest, Richard Simon, was several times condemned, and had to assume a dozen pseudonyms in order to gain a hearing—moralistic criticism, under the name of casuistry, became one of the most passionately pursued problems of the XVII century, and remained, in the general culture of Europe, a problem never entirely solved.

It would be here out of place to give the history of casuistry, or of the struggles between Jansenists and Jesuits, culminating in the intervention of Pascal, who, with his *Lettres Provinciales*, transferred the quarrel from Paris to the whole cultured world of his time and of succeeding centuries. Here it is of interest to note that the movement improperly known as casuistry had a character of its own, which related it on the one hand to the rationalistic and critical currents and on the other to the two extremes, the Stoics and the Libertines. This may seem a hazardous view, but only by a thorough study of the widespread and general tendency after the Reformation and Counter-Reformation to escape from political constriction and religious intolerance, towards a rationalism which would, it was believed, bring appeasement both inwardly, in the mind and will, and outwardly, in society, can we understand the import of the phenomena we are now considering.

In the Catholic countries—where, in the XVII century, the activities of dissenting churches and diverse sects could find no suitable field, and where, therefore, the problem of toleration did not present itself in the same manner, nor so urgently as in Protestant countries—the individualist and particularist spirit developed on the margins of Church and State, and also within them, under a marginal aspect. Escape was not sought in release from a conformity imposed by the two-fold bond of religious and social tradition, but in rational and critical culture, in the moral attitude of Stoics or Libertines, in Jansenist or Quietist mysticism. In France, and, under other aspects, in all Catholic countries, there was a further need—that of evading the Gallican stranglehold of the Court and the Sorbonne, and a traditional rigorism in the clergy

who seemed themselves Jansenists before their time. In the struggle against both, the Jesuits were in the forefront, and threw themselves into the fight.

We have seen how they had defended popular power against monarchic absolutism, and how they had therefore been driven out of France as subversive and tyrnnaicidal; how, on their return, they had defended the papal power under Bellarmin's formula of indirect power, and how they had been obliged to repudiate their own teaching and to subscribe to the most trenchant assertions of Gallicanism. At the same time, other struggles had arisen, which nourished disputes and animosities between the parties concerned—Molinism, Casuistry, Anti-Jansenism. These struggles would continue under other aspects in the next century. In all this, the Jesuits were not animated, as they seemed to Pascal, by an anti-Christian will of world dominion, but sought to utilise, by their own, and sometimes disputable, methods, a rationalist reorientation, of which the need was then felt by many. But, even though they maintained such reorientation within the bounds of Catholic orthodoxy, there were inevitable deviations now towards Pelagianism, now towards Laxism.

The theory of free will, as defended by the Jesuits, derived both from the decisions of the Council of Trent and from the voluntarist asceticism of St. Ignatius Loyola. In seeking to give a theologically rational explanation (not indeed as an explanation of the mystery of grace), Molina and his followers met with violent opposition from the Thomists and Augustinians in Spain and in all the centres of university culture, from Louvain to Paris, Vienna and Rome. This was at the close of the XVI century and the opening of the XVII. Rome was flooded with complaints, books, pamphlets, controversies, declarations, inquiries of the Spanish Inquisition and messages from the Courts—Philip III of Spain and the Empress Maria of Austria were for the Jesuits. Clement VIII in 1598 formed a special congregation, the *De Auxiliis*, to examine the theological dispute between Molinists and Thomists. But after nine years of work, it was suspended by Paul V, who forbade either party to qualify the adverse opinion as censurable. The Jesuits, who had been accused of semi-Pelagianism, cried Victory! They could henceforth defend Molina's theory without risk of censure.

Hence, festivals in their colleges, festivals in their churches, inscriptions that read: '*Molina Victor!*' At Villagarcia in Spain even a bull-fight was organised in celebration. Such manifestations, which might be judged as springing from an exaggerated *esprit de corps* and from theological and university jealousies, had at the same time a remarkable repercussion among the public, both lay and clerical, who for nearly a century had listened to the most acrimonious discussions on Grace and Free Will in the schools and pulpits, for and against Luther, Calvin and Baïus.

The higher free will was exalted, the higher the exaltation of human reason, from which it springs. The revision of moral theology on a casuistic basis was merely the effort to bring to light its link with reason. Thomist scholasticism had already taken an important step in this direction when it had philosophically developed Christian ethics in accordance with the Ethics of Aristotle, not by reducing the gifts of grace to natural virtues, but by basing the supernatural structure of ethics on the natural, bringing out its rationality. Casuistry went still further. On the one hand it sought to seize the psychological laws of the human act, not in general but in the concrete, to ascertain its intrinsic value and responsibility; on the other it studied the rational means, both inward and outward, of overcoming practical doubt on the morality of actions. In doing so, the casuists sought to avoid any subjectivism, natural or supernatural, such as was derived mainly from the Protestant theories, from intuitionist conceptions and from the mysticising forms of Illuminism, Quietism, Visionism, in short from everything in morals that could not be appraised by reason; but they avoided also individualism of personal judgment as liable to be affected by passion or ignorance. Hence the double office of reason and authority. For both it was necessary to give a scientific character to the human method of probability, as commonly used, even unconsciously, in practical life, in doubtful cases, whether moral, legal or technical. From Bartolomé de Medina onwards this was called *Probabilism*, and was contrasted with the system urged by the zealots in favour of obligation, which was therefore known as *Tutiorism*. The polemic (it was an age of polemics) became general and did not lack asperity. Any opinion maintained by an authoritative moralist or by several moralists

was termed probable; the intrinsic reasons of the probability were seen by many in terms of the extrinsic value of the authority.

Deviation was already advanced. Acute, subtle, bold, hyper-logical casuists took to using reasoning so as to justify many violations of the moral law and to mitigate its bonds; to such a pitch that the Libertines themselves, who believed in morality for others, cried scandal. The rigorist current among the clergy opposed the Probabilists in the name of tradition. Rome intervened, and in 1603 placed on the Index the *Aphorismi confessariorum* of Father Sa and the *Summa theologiae moralis* of Father Henriquez; the *Summula casuum conscientiae* by Father Condignat followed, and in 1640 it was the turn of the famous Father Bauny. Finally, after the Pascal controversy (and it was Pascal's achievement), Alexander VII in 1665 solemnly condemned 'Laxism', the excess and also the caricature of casuistic Probabilism.

Pascal confused Laxism with Casuistry; he condemned both the intrinsic probabilism based on reason and the extrinsic probabilism based on the authority of the moralists; he attenuated the rights of reason and of free will, emphasising in the Jansenist manner that of grace. But his condemnation of casuistry has remained till the present day without appeal for the world of general culture (though not for that of the specialists), for in reality he struck not at the substance of casuistry but at the exaggerations of the rationalistic and legalistic methods of the time. These whittled down the value of the voice of conscience, giving an escape from its inward judgment to the external authority of the theologians; they paid insufficient attention to the duty of holding fast to the moral law, and abounded in quests for means of evading obligation or attenuating it. Thus the descent towards Laxism was only a matter of degree.

Pascal failed to understand that all this was on the one hand a reaction against an oppressive conformism, political, religious and social; against a rigid traditionalism which in morals took no account of the economic, cultural and professional developments of the time, or the needs they created. He thus confused a permanent and eminently human problem, that of the morality of actions in the concrete of each particular case, with the positions adopted by casuistry as he had seen it—in the Jansenist controversy, in Laxist application, and disintegrating into formal-

ism. Rationalism and criticism released those of small religious belief or small religious observance from the bonds of dogmatic faith, producing the so-called Libertines. Intellectual and moral libertinism had an influence on the rich and cultured class which travelled over the world and kept itself, by its scepticism, untouched by profound passions. Casuistry, where it degenerated into Laxism and legal formalism, allowed certain sections of the upper and middle classes to take their ease in external religious observance and worldliness of spirit. All these evaded the problems raised by religious conflicts, whether within their own consciences or in the outer sphere of society and politics: the individual and the collective spheres came to form two separate worlds.

These were the motives through which the religious persecutions and political intolerance against Jansenists, Huguenots and Quietists in France aroused no disquiet, no opposition, no protest among the intellectuals, philosophers and responsible men, but rather agreement and approval. Not a single proposal was made to limit the powers of the Monarchy, or to grant some practical concessions to dissenters, in the name of a principle of humanity and Christian sense. As long as the governments of the two great Cardinals, Richelieu and Mazarin, lasted, the toleration to which the French Monarchy had pledged itself by the Edict of Nantes was more or less observed. Since both Cardinals sought to transfer the centre of European politics from Spain to France, and to render France a strong and compact State, they made it their business to put an end to factions, to humble the aristocracy, to tame the clergy and Parlements, and to magnify the absolute power of the King. They had therefore no interest in exciting the Protestants of North and South by religious persecutions. But the exaltation of the absolute power, the teaching of Gallican doctrines already associated with the Divine Right of Kings, and rendered binding upon all and put into practical effect, carried further-reaching consequences than the political and moral unification of the State.

In England monarchs by Divine Right, like the Stuarts, were at odds with their Parliaments; Charles I ended on the scaffold, and James II lost his throne. In France, Louis XIV was at odds with the Pope, and very nearly reached the point of schism. But the Stuarts were caught between the jaws of two churches; by favouring one, they divided the

country and were defeated. Louis XIV had the clergy behind him, nearly all the clergy, even the Jesuits, who were forced yet again to subscribe to the Gallican doctrines. With such support he could fight at once against Rome on the one hand and the Huguenots, Jansenists and even the unimportant Quietists on the other. The intolerance of Louis XIV was based on his motto, which summed up the theory of Divine Right: '*Un roi, une loi, une foi!*' The support of the Gallican clergy, moreover, gave it the clearest and most decisive theological formulation that had been known since the time of the Council of Constance.

Friction with the Roman Curia was not wanting in any Catholic court of the age. Jurisdictionalism was practised everywhere. Political complications and theological disputes provided continual motives for diplomatic quarrels. Louis XIV was personally in conflict with Alexander VII; Cardinal Mazarin's struggle against the worthless Cardinal de Retz, who was supported by Rome from canonical motives and by the Jansenists for practical reasons, made history. The mission of the Duc de Créqui to Rome (an arrogant, inflated fellow, who with his insistence on etiquette and precedence hoped to convey to the Romans the greatness of his King) complicated relations to such a point that Louis occupied the Comté de Venaissin and threatened the papal States with armed invasion. After much tergiversation, Alexander gave way and the Treaty of Pisa followed, in 1664. This dispute so excited Louis and his court, that he seized upon one of the many debates in the Sorbonne on the papal power and Gallican liberties, to procure a resounding means of humiliating the Pope and making the official theory final. The Faculty of Theology (in 1663) was invited to define its doctrine; it did so in six articles in negative form, thus avoiding pronouncing upon the limits and positive value of the propositions set forth, but the theory of the Divine Right of Kings received full consecration, as also that of the superiority of Council to Pope, and the other, that the Pope had no power to depose Bishops. The Parlement of Paris registered the Six Articles, the King approved them, and ordained that they should be registered at all courts and that their teaching in all the faculties and schools of the kingdom should be compulsory.

The most resounding and gravest dispute between Louis XIV and

the Papacy was that over the 'regalia,' which lasted twenty years, from 1673 till 1693. Louis claimed the right to exact the revenues of the vacant bishoprics throughout France, as regalia, whereas in reality he had the right to do so only in certain bishoprics not yet 'exempted'. Summoned by the King to give explicit recognition of his rights, no Bishop dared resist; only two from the South appealed to the Pope, who decided in their favour. The dispute, a question of pure Canon Law, was widened, bringing into question, as usual, the powers of the Pope. Louis, wishing to strike a decisive blow, in 1681 convoked the delegates of all the clergy of France, to decide the dispute over the regalia in his favour. The clergy at the same time sent Innocent XI a letter of justification, and besought him to avert a new conflict. But the conflict was what the King wanted. He demanded from the assembled clergy a formal declaration on the Gallican theory, so as to put an end to the claims of popes who might threaten to excommunicate and depose him. In Bossuet he had at once a courtier, a zealous bishop, and an enlightened theologian, whose authority was undisputed. Bossuet drew up the famous Four Propositions—corresponding, in a positive form, to the six approved by the Faculty of Theology of the Sorbonne in 1663—and submitted them to the Assembly. The first declares that kings are not subject in temporal matters to any ecclesiastical power, and that the Pope cannot depose them either directly or indirectly, and has no power to absolve their subjects from their oath of allegiance. The second, while recognising to the Pope full spiritual power, recalls the decrees of the fourth and fifth sections of the Council of Constance on the superiority of the Council. The third maintains the right to assert, in respect of the Pope, the canons and traditional privileges of local churches. The fourth declares that though the Pope plays the principal part in matters of faith, his judgment is still not final without the consent of the Church.

Louis XIV hastened to approve the Four Propositions and to impose them on all France. Innocent XI protested, and refused to give canonical investiture to priests promoted to bishoprics, if they had taken part in the assembly of 1682, so that in a few years over thirty-five bishoprics lacked their incumbents. Alexander VIII continued the resistance and declared the Four Propositions null and void. The French bishops,

fearing a schism, in 1693 signed a retractation of the Four Propositions, and Louis wrote to Innocent XII that in consequence he would rescind the order for their enforcement. But the Pope yielded over the question of regalia, recognising them to the French monarchy. It seemed as if peace had been reached, but Louis engaged Bossuet to finish his '*Défence de la Déclaration*', which he had begun to write, but did not dare to publish. In actual fact, the Four Propositions remained as the authorised expression of the Gallican theory and spread over Europe; in spite of papal condemnations they were maintained and taught by various national clergies.

It is in the mental climate of Paris between 1663 and 1693, in the union between clergy and monarchy and the influence of the Jesuits on the Court, in the growing friction with Rome and the inflated conception of the Divine Right of Kings and their role as guardians of the faith and of the Church, that we find the explanation of the persecution of the Huguenots, of the revocation of the Edict of Nantes, of the rigours against Jansenists and Quietists, of the King's continual interference in Church matters, even in convents of nuns and country parishes. His Catholic zeal was mingled with a punctilio to do more and better than the Pope (in which he copied Philip II of Spain), while feminine influence played an equal part in exciting his zeal which ended by becoming, after his fashion, sincere.

The method of the 'Dragonnades' to force the Huguenots into conversion was one of the worst that has ever been devised by a tyrannical king and bigoted councillors. The dragoons were sent into Huguenot homes, to install themselves as in time of war, tormenting women and old men and children with the most brutal and most refined methods, threatening them even with death. In a short time these singular missionaries produced thirty thousand conversions. But the Protestants were too many, nor were protests and attempts at resistance wanting. The final decision was the revocation of the Edict of Nantes, the suppression of all toleration, the exile of over three hundred thousand Frenchmen, the apparent conversion of many others, while a large number of families fled into the forests and mountains. The Protestant countries, forgetting their own persecutions against Catholics, were filled with indignation at Louis' action, in stamping under foot the

edict which Henry IV had declared perpetual and irrevocable. They received the refugees, and gave them means to defend themselves and to rouse Europe against the great injustice committed by the new Antichrist. Rome was annoyed by the revocation, judging it inopportune, but in France all approved the action of the *Grand Monarque* —Fénélon, La Bruyére and La Fontaine, Racine, the Jansenist leaders Nicole and Arnauld. Bossuet wrote that it was the greatest enterprise of the second Constantine. The old Chancellor, Michel Le Tellier, on countersigning the decree, declared himself happy to end his career by the grandest act of his life. Madame de Sévigné wrote: '*C'est la plus grande et la plus belle chose qui ait jamais été imaginée.*' Even Fontenelle was favourable, and with him the rationalists and libertines. Saint-Evrémont had written: *Je ne trouve rien de plus injuste que de persécuter un homme sur sa créance, mais je ne vois rien de plus fou que de s'attirer la persécution.*'

If among all the philosophers and politicians, rationalists and libertines and dissident clergy, we do not find one who could see the persecutions of Louis XIV in their true light, the chief reason is the universal acceptance of the political theory of the Divine Right of Kings, even by the Jansenists and by the Huguenots. Montesquieu and Rousseau were not yet born. The only men to formulate political theories whose names carried weight were Bossuet and Fénélon. Bossuet was the theologian of the Divine Right, of the absolutism of kings, to the exclusion of any human control, popular, civil or ecclesiastical. Fénélon sought timidly to introduce a consideration of the interests of the people into the conception of absolute sovereignty. But neither could envisage religious toleration as anything but a mere matter of political opportunism, of which the sole judge was the King. The intolerance of the Catholics was met by a like intolerance in those they persecuted. The Huguenots fought in defence of truth, of Christianity, of the only true Church of God, which was their own; the clash between two truths, held as such by either side, brought them disaster, but it was within the logic of their religious system.

The Jansenist leaders, who openly applauded the revocation of the Edict of Nantes, inasmuch as they considered themselves Catholics, indeed, more Catholic than the rest, had already experienced persecu-

tion, and were to experience it again in a more comprehensive and effectual form. No sooner had the Pope condemned the Five Propositions of Jansenius, than Louis XIV convoked the clergy in the Louvre (1660), to inform them that Jansenism must be suppressed. Pascal's *Lettres Provinciales* were burnt by the public executioner, a good number of Jansenists were put in prison, and the great Arnauld went into exile. In the course of a second persecution, Louis XIV went so far as to cause the nuns of Port Royal to be driven out by troops, who violated the tombs of the dead and destroyed the monastery so that no trace of it remained. The persecution of Huguenots and Jansenists would be renewed under other forms in the following century.

Similar phases of truce and toleration, struggle and persecution, are to be found in other Catholic countries where there were dissenting factions, as in Poland, Hungary, Transylvania, and even in the small State of Piedmont, where the Waldensians were victims of the notorious 'Piedmontese Easter' (the massacres of 1665), which was followed by the Peace of Pinerolo the same year. But in 1686, toleration was revoked, in imitation of Louis XIV. The flight of the Waldensians into Switzerland followed, then their reconquest of the valleys in spite of the resistance of French and Piedmontese—the 'Glorious Return' of 1689. There were five more years of struggles and disputes before peace was made in 1694 between the Waldensians and Victor Amadeus II, when the latter had broken with Louis XIV. In Italy there were no other Protestant communities, save in Venice, where toleration assumed a commercial and economic character and persecution a political character. In Spain there were no Protestant sections, and the Inquisition saw to any who showed signs of suspect ideas in regard to religion and the monarchy. Towards the end of the XVII century there was only a faint echo in Catholic countries of the jusnaturalist theories that had ripened in Holland, England and Germany, while Catholic theologians and philosophers had already abandoned the theories of the popular origin of governing power, as maintained by Bellarmin, Suarez and Mariana.

§ 37.—After the Peace of Westphalia, a movement had taken shape in Germany towards a possible understanding between Catholics and

Protestants, which interested a certain number of ecclesiastics, intellectuals and university professors, diplomats and princes; there was for a short while the idea of remaking a new Christendom. Christopher de Rojas, in 1661, was one of the first to urge the study of such a project. The Emperor in 1675 decided to collect in Vienna the declarations of Protestant theologians as a basis for discussion. The famous George Calixtus (1586–1656) had already maintained the thesis of accepting the dogmas common to the various churches as syncretic elements of faith and practical union. This idea, which was at first received with hostility, came to appeal to the minds of many, and plans were formulated by both Catholics and Protestants. Rome waited on events, giving encouragement with reservations; the attempt might come to nothing, like other attempts before and after the Council of Trent.

Among the most authoritative and unwearying champions of the union of the churches was Leibniz. In 1676 he had entered the service of John Frederick, Duke of Hanover, who in 1651 had been converted to Catholicism and laboured much in the various courts to this end. Leibniz wrote his *Systemata theologorum* (1683), in which he seems to have sought less the exposition of his own ideas than that of the state of the questions debated among Catholics, Protestants and Reformers. However we may judge this work, Leibniz had for a long time been pursuing a plan of convergence among the Christian churches, in order to reach a politico-religious structure of Europe as a new Christendom. An element in this plan was the conquest of Egypt, which he had urged upon Louis XIV, in order to strike a blow at the Turks and distract their forces, then pressing on Vienna and Budapest. He hoped for the conversion of China to Christianity through the Jesuits. He foresaw and encouraged the development of Christian Western civilisation in Russia (it was the time of Peter the Great), as an intermediary between Europe and Asia. He conceived and dreamed of a unified Germany, a united Europe.

It was needful to root out the causes of disunion, among them religious intolerance, the absence of powerful centres of culture, and the struggles and wars between Christian States. Therefore Leibniz, like other men of his time, thought it would be possible to reach a religious understanding on a minimum of dogma common to the

various churches, with a comprehensive spirit of toleration and charity towards conflicting opinions. For Leibniz, the Catholic Church was not the universal church, and though he held that the Pope should be the common head of all Christians, and considered as valid the theological concept of tradition (denied by Protestants), he did not agree with either the Jesuits or Bossuet on the infallibility of the Church. Nor could Bossuet accept Leibniz' idea that a heretic was not a man who denied a dogma, but only one who persisted obstinately in his opinion. Leibniz started from a sound premise, which Bossuet rejected, that recognition of the goodness of God contained implicitly recognition of the Redeemer, and that this therefore was enough for a pagan, who had conceived a love of God and sorrow for his sins, to find salvation. From this premise, he drew a wider consequence, that the basis of the Church was not faith in a broad dogmatic complex, but simply faith in God and charity. Leibniz' discussion with Bossuet was a prolonged one, but it could have no success. For Bossuet, the reunion of Europe in a new Christendom could be effected only through the return of Protestantism to Catholicism. The method of discussion and persuasion was the method the Church preferred; the political method of constraint might be useful; Catholic monarchs in the hands of God were the ministers of His glory and His vengeance. Bossuet, for his part, was ready to fulfil the task of persuasion that fell to him as bishop and writer, by means of discussions and historical and dogmatic demonstration. To this he gave much of his labour, from his youth up, till he was a sick, old man. From this standpoint he did not refuse to respond to the insistency of Leibniz, though hoping nothing from his plan, unless, perhaps, the conversion of his great correspondent.

When his hopes for an understanding between Catholics and Protestants came to nothing, Leibniz confined his plan to a reunion of the Protestant and Reformed churches. But even this attempt was doomed to failure. No form of religious syncretism could provide a basis, either for Christian minds—for which faith cannot be simplified into elementary data, without leading to more complex developments and wider and deeper applications to individual and social life—or to those who were moving further and further away from religious thought, towards secularising conceptions, like the jusnaturalists and the ration-

alists, who consciously or unconsciously were seeking the basis of a unified human society in natural religion. Religion syncretism was merely a transitory and interpretative phase of the passage from a Christian conception of society to that of Natural Law; it is the accidental aspect of all religious latitudinarianism on the point of losing its theological physiognomy.

Leibniz did not found his ideas purely on a syncretic latitudinarianism, nor on a naturalistic and rationalistic theory, but on a philosophy inspired by Christianity. Only by bearing in mind his philosophy can we understand the significance of his efforts and his dream of a new Christendom. He was anti-Cartesian and anti-Spinozan by reaction and by conviction. Descartes reduced nature to a mechanism in the realisation of all possible forms; like the Nominalists, he made all physical and moral laws depend on an arbitrary Divine Will, thus denying the intrinsic rationality of the real. Spinoza made of reality a single Absolute, geometrically deterministic. For Leibniz, Descartes led to atheism, Spinoza to pantheism; both falsified the nature of created reality and denied it all finalism. In spite of this, in both there were two fundamental truths which could provide the basis for a new philosophy—in Descartes, the *idea of contingency*, brought out by the concept of the dependence of all things on the Divine Will, (as against Spinoza's necessity); in Spinoza the *idea of order*, as dependence on a geometrical, (or better, rational) necessity. Leibniz thus arrived at his idea of the '*principle of the best*': the present world is the best of possible worlds.

This realistic optimism in Leibniz animates all his theoretical systems and all his practical activity. His complete and active monad, quivering with inner life, ordered to itself and at the same time harmonised in the complex of other monads, is the concrete revelation of the contingent and finalistic optimism of his philosophy. The organism of monads seeks its end, just as does each separate monad; a pre-established harmony unites them, and all respond to their ends and to the more complex ends of the whole, which manifests the power and glory of God. Finalism is apparent in the movement of all being towards God—in inorganic matter through strength and motion; in organic matter through life; in man through moral act. Reason unites man to God

and to the other created spirits; through reason we see the complex harmony of creation, the laws that show forth the divine wisdom, the historical continuity by which everything conspires to an end, which cannot be other than the City of God and the reign of love.

This optimistic vision was in contrast to the disunion of the Christian churches, the mutual intolerance, religious and political, the dissensions between Christian princes, the menace of the Crescent in Europe (it was the period of the siege of Vienna and the victory of John Sobieski). Hence the necessity for a plan corresponding to the spirit of such a philosophy. Philosophical finalism becomes historical finalism; events intertwine with things in a continuous interconnection, tending towards a better future by the law of continuity and progress, towards the realisation of the providential plans. Leibniz, the philosopher of history, in his conception of Providence, joins hands with Bossuet the apologist, the author of the *Discours sur l'Histoire Universelle*.

He was a happy man, for his optimistic ideal never failed him, in all the conflicts of his life, the collapse of his dreams, his abandonment by men. Though Leibniz was not a mystic, he must have been allured by the great visions of the mystics, thus to transcend all the pessimism of life in a higher conception of a divine end. Unfortunately, his finalistic optimism found no response in the world of philosophic thought of the time, imbued as this was with naturalistic rationalism and Spinozan pantheism, nor in the religious world, where Lutheranism denied free will, Calvinism established an iron, predestined determinism, and Jansenism, already widespread among Catholics, froze all effusion of grace.

There was another optimism during this period, that of the French classical culture of the XVII century, based on a conception of order, authority, tradition, on the stability of reason, the poise of morals, the harmony of art. Such a world, tending as it did to be fixed and static, could not appreciate either social dynamism or spiritual unrest. Pascal stands outside the world of Corneille and Descartes, just as Boileau, Bossuet and Malebranche stand outside the world of Pascal, whose intuitions attained a clarity in profundity. Racine and Moliére sought to break through the static world, but, lacking an optimistic philosophy, failed to reach the vision of a higher dynamism. Another world which

was moved by optimistic motives was that of the Jesuits, in the widest sense of the word, including not only the Jesuits themselves but their followers, admirers, patrons and pupils. Here were free will, probabilist morals, finalistic intention, utilisation of all human possibilities, means and inventions, art and science included, for the conquest of the Kingdom of God. But this world carried the counterweight of an exterior formalism, of hazardous undertakings, of worldliness of means, of a predominance of fancy over feeling, reason over intuition, and was continually agitated by acrimonious controversies and by the almost constant opposition of a large portion of the clergy and of official culture as represented by the Sorbonne.

Classical optimism and Jesuitic optimism, which found in the France of the second half of the XVII century a centre from which to radiate through all Europe, were shattered against Jansenist pessimism, which gained the ascendancy, creating a deep gulf between the social and mundane reality and the spiritual intimacy of conscience. One man alone, Pascal, was able to overcome this dualism on a higher plane on which philosophy and mysticism formed a synthesis, yet the *Pensées* remained unfinished notes of an Augustinian vision of the world. After Pascal, only Fénélon sought a synthesis between the inner and outer. He saw the classical world of order and authority crumbling; he sought to give more room to the imagination and the heart; he felt the crisis that was approaching, but he was not of a stature to provide a philosophy for modern thought, nor a sure mysticism for the spiritual man as St. Francis de Sales had done in his day.

The XVII century opened with the religious pessimism of the Jansenists, which, in spite of condemnations from Rome, the Sorbonne and the French clergy, already invaded the Catholic camp. To this was added a growing unrest and a dissatisfaction with logical rationalism, juridical naturalism, moral laxism, religious formalism. On the other hand, the national clergies, especially the bishops, were so closely bound up with the monarchic power, and thus constituted so integral a part of the dominant oligarchies, as to create an immense gulf between them and the mass of the faithful, of whose spiritual and material conditions many were wholly ignorant.

The mediation between the political power and the people was left

to the active religious orders, especially those that had been founded for educational purposes, like the Christian Brothers of St. Jean-Baptiste La Salle, and the many charitable institutions created and inspired by the work of St. Vincent de Paul and his imitators. The mystical currents showed vigorous life through the whole of the XVII century; it is sufficient to mention St. Francis de Sales, St. Maria Maddalena dei Pazzi of Florence, St. Jeanne de Chantal, St. Jean Eudes, St. Joseph of Cupertino, St. Marie Marguerite Alacocque, Blessed Claude de la Colombière, Cardinal de Bérulle, and l'Abbé Rancé, the reformer of the Trappists. The Catholic mystical influence penetrated to many sections of the people, who needed something to restore them from the oppression of Jansenism, and found comfort in the cult of the Sacred Heart of Jesus, which was then spreading. But such apostolic and mystical currents remained on the margins of organised society and could no longer, as in the Middle Ages, permeate general culture, philosophy, law, economics, politics. The prevailing motives escaped the inward rhythm of Christian life; philosophical and critical rationalism, political and legal jusnaturalism, formalistic or syncretizing religiosity, laid hold on Europe. The various Catholic forces which, in the different countries, might have opposed a valid resistance, were paralysed by the jurisdictionalist struggle between State and Church, which prevailed in the XVIII century till the eve of the Revolution.

CHAPTER X

JANSENISM, JURISDICTIONALISM, THE ENLIGHTENMENT

§ 38.—No sooner was Louis XIV dead (in 1713) than his corpse was abandoned by his huge host of courtiers. Only his confessor, Père Le Tellier, and the Captain of the Guard followed the bier to St. Denis, and the mob insulted it like that of a common scoundrel. As Louis XV was still a minor the Duke of Orléans was appointed Regent; he hastened to make the Parlement of Paris annul the will limiting his powers in favour of the Duke of Maine, the bastard son of the *Grand Monarque* by Madame de Montespan. This the Parlement did the more readily in that it was visibly regaining a power reduced and mortified by Louis XIV. At the same time the Regent, an irreligious and unscrupulous individual, in order to mark a change in ecclesiastical policy hitherto dominated by the Jesuits, set the Cardinal de Noailles at the head of the *Conseil de Conscience*, which was a kind of ecclesiastical ministry, very powerful and influential. The Cardinal had favoured the Jansenists and was looked upon askance by the Jesuits.

Louis XIV had left the anti-Jansenist struggle at an acute phase, which had originated in 1703 over the celebrated 'Case of Conscience'. Canon Périer, the son of Pascal's sister, set before the Theological Faculty of the Sorbonne, in writing, a case of conscience in order to get from it an authoritative reply. In discussing the most subtle cases these learned doctors were in their elements. The time had passed when discussion turned on whether the Five Propositions were or were not in the *Augustinus* of Jansenius; Rome had replied that not only did it condemn the propositions but condemned them in the sense Jansenius gave them. The Jansenists would not accept defeat; Canon Périer put the case of whether it was possible to give absolution to a priest who, accepting the condemnation of the five propositions and signing the

formulary without reservations or mental restrictions, remained uncertain whether the propositions were really to be found in Jansenius and, on this subtle point, observed a submission not of conviction but only of respect and silence. To-day at a distance of two centuries it is incomprehensible how such a question could have assumed public importance; then it was otherwise. Forty doctors of the Sorbonne signed a decision in favour of absolving a priest thus troubled in conscience. The matter was dealt with between Périer and the theologians as if they were a kind of Sacred Penitentiary Congregation, but, through an indiscretion, which was certainly not involuntary, the decision was known and circulated. Bossuet flared into indignation and sent the Cardinal de Noailles a polemical tract entitled: *Réflexions sur le cas de conscience*.

The matter was denounced to the Pope, who at once sent two Briefs disapproving the decision of the Sorbonne, the one to the Archbishop of Paris, the other to the King, ordering that the signatories should receive exemplary punishment, for which he called upon the assistance of the secular arm. All the doctors involved, except Petitpied, Professor of Scripture, withdrew their signatures. The bishops, to whom the brief was communicated by the King, hastened to publish it, accompanied by special charges, but the magistrates, many of whom were Jansenists or the friends of Jansenists, raised the question that papal briefs, before they could take effect, had to be supplied with royal letters patent, registered by the Parlement. Louis XIV recognised his mistake: such was the Gallican and publicistic rule. The bishops' publications were null, the Briefs without legal effects. But he at once saw to it that the Jansenists should be robbed of their satisfaction, asking the Pope to issue a solemn Bull which would put an end (or so he thought) to the dispute. Clement XI in 1705 issued his *Vineam Domini Sabaoth*, and the King himself, in sending the Bull to the bishops, wrote that 'it was on his instances that Jansenism had been freshly condemned by the Pope', and that, according to the Gallican use, 'he addressed to the assembly a copy of this Constitution: he exhorted the deputies to deliberate at once on the acceptance of the Constitution, so as to send out as soon as possible the letters patent necessary for its execution.'

Both the King and the Clergy Assembly in accepting the Bull were careful to reaffirm the Gallican doctrine and praxis, but there were bishops, with the Cardinal de Noailles at their head, who slipped in Jansenist reservations; thus the efficacy of the Bull, once believed decisive, was so reduced that far from appeasing past controversies it kindled a new one. It is not to be thought that the whole of France was roused to enquire up to what point grace or free will had prevalent or concomitant efficacy. If a thesis, whether theological or philosophical or scientific, is to arouse the passionate interest of a large and complex public, it must end by touching sensitive fibres in a wide zone of opinion and by becoming a psychological impulse. Jansenism had in its favour mystical elements which agreed with the medieval spiritual tradition, and its ethical rigorism was widespread among the country clergy, the provincial bourgeoisie, certain religious orders like the Augustinians and Dominicans, and the intellectual middle classes. Such looked with horror upon Laxism, which was confounded with casuistry; they were ill-disposed towards the Jesuits, as these presented themselves to the popular imagination—confessors of kings, nobles, courtiers and worldly ladies, educators of the wealthy classes, their colleges and churches thronged by the aristocracy; among them too were certain fathers dedicated to the profane sciences, writers and polemists of note. In the Clergy Assembly of 1700 Bossuet, who had drawn up and caused to be condemned five further propositions tainted with Jansenism, took care, to balance the position, to obtain the condemnation of no less than a hundred and twenty-three propositions taken from the 'relaxed casuists'. Behind the latter were the Jesuits, who were carrying on the anti-Jansenist struggle to the last ditch, attacking not only their theological theses on grace but also the Gallican premises which served them to frustrate condemnations from Rome and to render vain the efforts of the French bishops and of the court to reduce them to discipline.

The most uncomfortable position was that of the French bishops. In majority they were against the Jansenists and with the Pope over the dogmatic question, but they were against the Jesuits and dissented from the Roman Curia over Gallicanism. For their anti-Jansenist campaign they needed not only the backing of the Court but also that

of the Sorbonne, the Parlements and the law-courts; but while the Court was against the Jansenists, the others were in favour of them. The bishops' action was thus paralysed. The intertwining of sentiments, interests and political passions with theological questions and with ecclesiastical positions helps to explain how, up to the middle of the XVIII century, in a period of intellectualistic and naturalistic culture, France was so deeply stirred by the Jansenist struggle. At bottom there was also the unconscious and instinctive resentment of the lower clergy, living in economic hardship, against the upper clergy, wealthy and protected by the court; of the bourgeoisie, which had to work for a living, against the aristocracy that exploited the lands it had forsaken and the royal exchequer at the expense of which it often lived; of the working classes of the countryside, of the artisan and workman in the incipient industries, who, brought more into contact with the bourgeoisie, mistrusted the debt-laden nobles living remote from the provinces. It is not possible to draw a clear distinction between Jansenist and anti-Jansenist sections of society; there is no economic determinism or religious idealism that can regulate in fixed form movements mainly psychological and instinctive. Feelings are always fluctuant, and therefore public opinion is fluctuant, unless exceptional events polarise it towards a definite goal.

One of such phases was that of the rebellion against the Bull *Unigenitus* by which Clement XI in 1713 had condemned a hundred-and-one propositions of the Oratorian Quesnel, then leader of the Jansenists. The bishops had accepted the new Bull and the Parlement had reluctantly registered it, when the Sorbonne came into open opposition. The magistracy condemned to the flames the episcopal charges in its favour. The ferment was such throughout France that the bishops themselves had to ask for enlightenment from the Pope and four of them, with the support of the Sorbonne and of many priests and friars, appealed 'to the future Council'; while conferences were set on foot between Jansenists and orthodox with a view to an understanding. In the meantime Louis XIV had died, and the Regent—bored and irritated by all this clerical hubbub which he could not dominate, and at the same time unwishful to irritate the Pope who in 1718 had condemned the appellants—decided on the one hand not to

publish the papal condemnation and, on the other, ordered that no one henceforth should speak either for the Bull *Unigenitus* or against it. As was to be expected, given the general excitement, no one obeyed him. Clement XI was succeeded, in 1721, by Innocent XIII. The regent had wanted a Cardinal's hat for his minister, l'Abbé Dubois, whose moral conduct left much to be desired. The Jesuits favoured his nomination, counting on him to ensure the favour of the court in the fight against Jansenism and to neutralise the influence of Cardinal de Noailles. The future Pope gave the requisite undertaking, thus assuring the support of France; Dubois became Cardinal and in 1723 was elected President of the Clergy Assembly. The bishops hoped that he would obtain them the support of the Court in their fight against the Parlement; by now their position was such that everything depended on the King. To such subjection had they been reduced by Louis XIV, and thus they continued under the regency. No sooner was Louis XV of age, than they wrote to him: '*Sa Majesté est très humblement suppliée de vouloir faire attention aux affronts qu'a reçu le Clergé de France en ces dernières années, par une foule d'arrêts qui sont autant d'entreprises sur les droits les plus sacrés de l'Episcopat, et qui ne tendent à rien qu'à saper par le fondement toute l'autorité de l'Eglise.*' And the bishops continued their lament as follows: '*On s'en est pris personnellement aux évèques; on a fait saisir leur temporel, on les a menacés des plus grandes peines; leurs mandements sur des points de doctrine ont été déclarés abusifs ou supprimés; des particuliers de l'un et de l'autre sexe ont été autorisés à se soulever contre les mandements de leurs évèques, unis au Saint-Siège . . . Des pretres, des curés même, se font un titre de ces arrêts pour mépriser les censures dont ils avaient été liés par leurs supérieurs et ont continué impunément, sans s'en faire absoudre, l'exercice des fonctions les plus saintes . . . plusieurs arrêts ont été rendus sur le réquisitoire des procureurs et avocats généraux qui combattent par des propositions téméraires, fausses et erronées, la doctrine que les éveques enseignent à leur peuple*'.[1]

[1]'His Majesty is very humbly prayed to turn his attention to the affronts suffered by the Clergy of France in recent years, through a host of awards that are so many encroachments on the most sacred rights of the Episcopate, and which seek nothing but to sap the foundations of the whole authority of the Church. . . . The bishops have been personally called in question; their temporalities have been seized, they

In short, these poor court bishops, having lost all effectual authority over their priests and people, asked the King for a tribunal independent of the Parlement, to which to carry disputes arising out of appeals *ab abusu* or for other reasons, against episcopal orders in execution of the papal Bulls. How pettifogging was the mentality of these Gallican bishops! A question of spiritual conviction, of religious discipline, and in large measure a psychological sickness, in their eyes was a question for the legal competence of a royal tribunal which would examine appeals against their acts. Their apostolic powers in the face of a rebellious clergy were reduced to denouncing to the King the intervention of the Parlements, which supported the Jansenist party. They did not see to the bottom of the problem, which involved the old Gallican organism, they did not understand the genuine spiritual distress of so many of the faithful. On the one hand they egged on the papal authority, on the other they called upon the royal authority, when in reality they lacked any true pastoral authority, not in the legal or formalistic sense, but in that of paternal and apostolic ministry.

Their action was, indeed, tainted with Gallicanism and remained impotent. It was a moral impossibility for them to make their episcopal authority carry weight. In execution of the Bulls *Vineam Domini Sabaoth* and *Unigenitus* they inculcated not only submission but intellectual assent to the papal condemnation, *de jure* and *de facto*, but they themselves when the Pope had condemned the four Gallican propositions of 1682 went on acting in the spirit and letter of these propositions—in spite of the fact that in 1693 many of them had signed the retractation and declared they submitted to the Pope. This submission, indeed, had been external and formal, with greater intellectual and practical reservations than those of the Jansenists referred to in

have been threatened by the gravest penalties; their charges on doctrinal points have been declared abusive or suppressed; individuals of either sex have been authorised to rebel against the charges of their bishops in union with the Holy See. . . . Priests, even parish priests, consider that these awards give them the right to despise the censure by which they had been bound by their superiors, and continue with impunity, without absolution, the exercise of the most sacred functions. . . . Many awards have been made on the accusations of the Attorneys General and Advocates General who by rash, false and erroneous propositions fight the doctrine that the bishops teach to their people.'

Canon Périer's 'case of conscience'. They remained unaware of their false position. Clement XI had sharply reproved them in January, 1706, because they set themselves up as judges of the papal Bulls. But the bishops held fast to Gallican doctrine and praxis and would never have relinquished examining the Bulls, even though by this time they ended by agreeing with the Pope, and, in any case, they and the Court had often urged him to a pronouncement.

The Bull *Unigenitus* had been finally accepted as law of the land, but since there were many who, under cover, opposed it, the Bishop of Amiens in 1746 ordered that priests, summoned to the deathbeds of those whose attitude was doubtful, should demand their explicit assent to the Bull before giving them the Viaticum and Extreme Unction; the eventual refusal of the Sacraments meant also refusal of ecclesiastical burial. Similar measures were taken by many other French bishops, and by the Archbishop of Paris, Mgr. de Beaumont. The Jansenists were profoundly stirred and the Parlement took their side to the point, in April, 1752, of forbidding priests 'to make any public refusal of the Sacraments under pretext of absence of certificates of confession'—(this certificate was required when the priest who gave the Last Sacraments was not the priest who had confessed and absolved the dying man and who hence would have asked for assent to the Bull). This was not enough. In the following month a general assembly of the Chambers of the Parlement, summoned over the same question, denounced the Archbishop of Paris to the King as a promoter of schism. The Archbishop hastened to exculpate himself to the King, but the King forbade him to publish his defence.

The Parlement's action continues without mitigation; priests, whole chapters, are tried and sentenced; the Archbishop of Paris is banished; the publication of the circular letter of the Bishops' assembly of 1755 is prevented. The King, who had always kept a middle course between clergy and Parlement, ended by backing the Parlement. Finally towards the end of 1755, Pope Benedict XIV intervened, with a Brief ruling that only those 'notoriously refractory' should be asked for explicit assent to the Bull *Unigenitus* before they were given the last Sacraments. Moreover, he restricted such cases of 'notoriety' to the point of making the demand for such a declaration a very rare exception.

Thus implicitly he repudiated the zealots. But even this did not satisfy the Parlement, which refused to register the Brief; Louis XV confined himself to sending it on to the bishops, forbidding them to make public use of it. The succeeding Pope, Clement XIII, insisted that Benedict's Brief should be followed, but in vain. In the meantime there had been many priests banished or publicly whipped, bishops deprived of their temporalities, their supporters persecuted, in all the French provinces. This melancholy phase of religious strife in France coincided with another, wider and fiercer struggle against the Jesuits, which may be considered the epilogue of the resistance they had maintained openly against Jansenism and secretly also against Gallicanism. This, in spite of the declarations they had been forced to make, they could not but combat, supporters as they were of the papal rights.

§ 39.—The Jansenist character of the struggles that had been going on in France for a hundred years must not make us forget that the substratum of the disputes between Catholic States and the Church was of a more general nature and concerned the post-Tridentine structure. These disputes bear different names; in the last century and recently writers like Hinschius, Scaduto and Ruffini have characterised them as struggles over jurisdiction; hence the name, which has become general among students of ecclesiastical law, of *Jurisdictionalism*. It is a legal and formal standpoint rather than a sociological and substantial one, but it helps to bring out many structural elements of State and Church and to show the reason for the respective positions they assumed. Jurisdictionalism in the wide sense is not a phase special to the XVIII century, but may be said to come into being the moment State and Church assume reciprocal juridical positions, to be held by each both in defence of its autonomy and in assertion of a right to intervene in the sphere of the other. The type of relations, however, between State and Church in a jurisdictionalist system is distinct from (and in certain respects opposed to) that of cesaro-papist and theocratic systems. Whereas in these we find an absorption and systematic confusion either to the advantage of the secular power or to the advantage of the spiritual power, a jurisdictionalist régime implies co-ordination, with clearly defined spheres of competence and

separation of activities and ends. This, however, is theoretical; in historical fact we may note the tendency towards co-ordination, but this tendency can work only as part of an historical complexus in which the past, with its theocracy and cesaro-papism, forms the very substratum of the jurisdictionalist conflict. And since claims to jurisdiction were mostly made in the name of the State, jurisdictionalism is often identified with regalism and Gallicanism, while the claims of the Church of Rome are characterised as Curialism.

This notwithstanding, jurisdictionalism is not always the same; it varies according to the epoch, for the theories on which it rests and the claims it seeks to make good vary likewise from century to century. Such a conception emerges in so far as the State seeks to cast off its cesaro-papist caparison in favour of a less theocratic and more juridical conception; and in so far as the Church disengages herself from feudal and international political positions, falling back upon the legal interpretation of her spiritual and temporal rights. From this point of view, a certain jurisdictionalism is to be found towards the end of the Middle Ages, and gradually assumes different aspects both in the period immediately prior to the Reformation and in the period following.

During the Counter-Reformation the Catholic princes sought to obtain from the Papacy as many rights and privileges as possible, the while they vigorously defended the traditional rights of their Houses or their States, in order to form politico-religious unities that would better consolidate their thrones and dynasties. But they possessed a religious sense that made them zealous champions of the Catholic faith, haters of Protestants, mistrustful of the Pope, whom they believed weak, and of those bishops whom they suspected of uncertain orthodoxy. For Spain, Naples, Milan, Sicily, Portugal and for Toulouse, the Inquisition, with its mixed character, ecclesiastical and political, so completed the system, that the King could truly repute himself an 'External Bishop' in his own right, and a Legate Apostolic in perpetuity, and hence independent. Such a conception, attacked by curialists and maintained by regalists, who were most of them ecclesiastics, was tolerated by the Papacy, both for the sake of ensuring the valid co-operation of the secular power in the extinction of heresy, which entailed a risk of wars and revolts, and in order that the clergy

of each nation should remain united to the centre, in such manner as was then possible, through the ecclesiastical departments of the several monarchies and subtle Roman influences in appointments and promotions. We have already more than once shown the confusion of powers that ensued. The jurists of both sides had their work cut out to avoid a hair's breadth of trespass over the traditional demarcation of rights and competences; hence volumes upon volumes over the most trivial and insignificant disputes.

The theories that grew up in support of the positions of the Curia and the monarchies, although they reproduced medieval theses and based themselves on the most ancient documents, could not fail to take on the character of the age and feel its influence. Not for nothing had the waves of Protestantism passed over the Catholic world and seemingly engulfed it; the jurisdictionalist theories that were taking shape show no small traces of Protestant influence. In reaction, the curial theories accentuate the medieval claims. And though the Roman Curia was actually on the defensive, theoretically it remained inflexible. Its practical weakness in the face of the monarchies was increasing, for the Papacy found no support for its theses either in general culture, which was becoming secular, nor in the national clergies (with a few exceptions), but only in a well disciplined diplomatic corps, the Roman clergy, trained in the study of law and juridical controversies, and a part of the religious Orders, among them the Jesuits, in the forefront as polemists, organisers and men of culture.

The anti-curial theories which prevailed up to the beginning of the XVIII century can be broadly distinguished as 'Regalism' and 'Gallicanism'. The first based itself on the function of kings as protectors of the Church, custodians of discipline, chastisers of heresy and schisms —a function integrating the spiritual authority of the bishops and of the Pope, and, judged necessary to the welfare of the Church and of the State, as such in certain respects autonomous. Gallicanism included all this, but added a strictly concomitant position on the part of the episcopate. The Gallican clergy had adopted a position of its own, nominally autonomous, of co-operation with the Pope in dogmatic questions and with the King in practical and disciplinary questions, so that the Church of France was under a threefold authority. Therefore

the Gallicans upheld the theory that the Council was superior to the Pope, and that the Pope had no right to depose bishops, and that papal Bulls had to be discussed by the Clergy Assemblies and obtain their assent before the King could supply them with Letters Patent. Such was the substance of Episcopalism. Bossuet, after the condemnation of the Four Propositions of 1682 and the retractation ordered in 1693, wrote that all this was as it might be, but that this doctrine of the Parisian theologians remained 'unshaken and free of all censure'. —*manet inconcussa et censurae omnis expers illa sententia parisiorum.* Regalism outside France held to the greater part of the Gallican theses, but there were differences in respect of the organisation of the clergy and the theories of episcopalism. For a certain period there was disagreement over the question of the popular origin of the royal power, till the Gallicans ended by adopting the thesis of monarchy by divine right, which already prevailed in the rest of Europe.

The jurisdictionalism of the XVIII century in the religious field felt the influence of Jansenism, and in the juridico-political field that of jusnaturalism. The result was a hybrid jurisdictionalism, of which the extreme wing had an anti-Catholic substratum. Leaving out of count its slow and equivocal historical evolution, we can distinguish between the jurisdictionalism that seeks to attribute to a still confessional State a predominance over the Church even in religious and disciplinary matters, and the jurisdictionalism that seeks to set the Church under the control and vigilance of the State for purely political and police reasons. In this second phase the State is changing from the confessional type to the jusnaturalist secularising type. No one who fails to grasp this slow process of break-up of the past and of transformation towards another term in which the State is the central objective, can understand the significance of the struggles between Church and State in the XVIII century, or the crisis that was preparing. Otherwise the jurisdictionalism of this period will be confused with that of the period before and immediately after Trent.

Among the most famous juridictionalist churchmen we must note Zeger Bernard van Espen of Louvain (1648-1728), whose *Juris Ecclesiastici universi hodiernae disciplinae* had a wide circulation and great influence; and Nicholas Hontheim, better known under the name of

Justinus Febronius, (hence the name of *Febronianism* given to his theory), who in 1743 published his *De presenti statu Ecclesiae deque legitima potestate Romani Pontificis*, which became a standard work. Episcopalism, of which the Council of Trent had clipped the wings, had never ceased to creep forward and to assert itself under various aspects. Of these Gallicanism was the best known in that it had been able to formulate itself as a doctrine, to which the name of the Sorbonne gave authority. There was indeed also an episcopalism in Spain, in Austria and in the other Catholic States, but since it had no marked character of its own, it was confounded with the tendency of national churches and with the thesis of the superiority of the Council to the Pope. Jansenism, in its obstinate and captious resistance to papal condemnations and in its struggle against the Jesuits, leaned now on the bishops, now on the nobles and on the courts; hence many of its writers were at the same time episcopalists and jurisdictionalists. Episcopalism was an endeavour to solve the constitutional problem of the Church, till then insoluble for those who wholeheartedly accepted the conciliar theory, because (as the Council of Bâle had shown) the direct government of the Church through a conciliar assembly had proved impossible in practice. Some Jansenists, during the dispute over the Bull *Unigenitus*, put forward the idea that before the acts of the Pope were binding on all the faithful they must receive the assent of the Church. But practically, what assent was meant? Some stopped short at the episcopate (the Gallican praxis), others went so far as the lower clergy, parish priests and curates, giving to the presbyterate an office of church government. There were also those, though very few, who under Protestant influences spoke of the assent of the faithful.

This point gave an impulse towards a democratic conception of the Church. There was a wish for a new reform; the electoral principle was put forward as a revival of the practice in the first period of Christianity, when the lower clergy and the people took part in the elections of presbyters and bishops, and when the local churches, while recognising the primacy of Rome, developed and governed themselves through an almost uninterrupted series of councils. All this might seem an anachronistic return to the period prior to the Reformation, if it had not been combined with other elements which bring

out the jurisdictionalist character of the alleged democratic reform of the Church; above all, with the acceptance and defence of State control of ecclesiastical discipline, of the acts of church government and the administration of the Sacraments. This might be accepted by the Febronians as the traditional co-operation of the Monarch in building up the 'Christian Republic', but it was also admitted as a defence of the monarchy and of the State against interference from the Roman Curia, and against the influence of the episcopate itself and of the national clergy. Certainly a democratic reform and State control were not easily compatible, but the ideas, even if inconsistent, made headway. The specious explanations given by certain jurisdictionalists was that the people had lost its right of nomination and control in the Church by giving it up to the monarchs, who thus possessed it *jure proprio* and not by papal grant.

In the second place, the Febronians agreed with the regalists in accepting the reduction or even the suppression of the privileges and rights of the Church in respect of civil and criminal immunity, the administration of property, purchases, legacies and sales. And this with the double aim of concentrating in the State the greatest sum of powers, thus suppressing duality of competence, and of promoting unhampered the civil, penal, administrative and economic reforms that in this period were demanded on every side. To achieve this, the theory sufficed that such rights had been granted to the Church 'by the benevolent and revokable concession of princes'.

The episcopalist movement and the jurisdictionalist movement, though diversely inspired, gave each other mutual support; they had the common objective of reducing the power of the Papacy, which had emerged with new strength from the Council of Trent and had re-established its authority through the firm and decided enforcement of the Counter-Reformation, realising, in so far as was possible, a maximum centralisation in Rome. The XVIII century was not one of the happiest for the eight popes who succeeded each other from Clement XI to Pius VI. Only Benedict XIV was a broad-minded man who understood his age, but even he was weak, feeling it impossible to be strong. By now the defensive position was obligatory on Rome. The vindication of the traditional rights of the Papacy, like that of depos-

ing kings and releasing subjects from their oath, which the curialists never ceased to record in their books, (as did the Franciscan Gian Antonio Bianchi of Lucca in his *Della Potestà e della politica della Chiesa*, 1743) had an anachronistic sound when popes were forced to give way to the European courts, whose pretensions increased from day to day up to the suppression of the Order of the Jesuits; and when the monarchs with impunity claimed rights of control over the sacramentary and devotional activity of the Church, even fixing the times and places of hearing confessions, or forbidding the introduction of the Feast of the Sacred Heart.

Such acts to-day seem to us absurd, but they were not judged so then. It was a case of consolidating, guaranteeing and perpetuating power in the hands of a class or category of persons, of given families, of traditional circles, centring round the Court or the various organs of the State. All outside interference, all signs of independence, all pretensions to autonomy cast a shadow, aroused suspicion and jealousy. The religious Orders in the dependence of Rome were too powerful and too wealthy to be left without check or control. One of the episcopalist aspirations was the complete subjection of the monks and friars to the bishops; this coincided with the governments' wish that no foreign subjects should become the provincial heads of the Orders, or that friars and monks in their States should not depend on generals living, as most of them did, in Rome or in other foreign cities. The ban on the devotion to the Heart of Jesus was due to Jansenist opposition, which exploited the resentment of the bishops against the Jesuits, or of the governments who were in quest of pretexts to assert themselves over the Roman Curia.

In that period when big industry was beginning and trade was developing with greater rapidity, the need for economic reforms was genuinely felt. The States had already their own finances and their own treasury, no longer confused with the private purse of the sovereign; a certain system was being introduced with more logical theories, built on experience. It was plain that this movement for reform would have to embrace the system of church property, which by Canon Law was inalienable and exempt from taxes and fiscal burdens. Mortmain withdrew lands, houses, rents, leases from commerce. The governments

intervened to regulate and limit donations and legacies to churches and religious houses. There were innumerable friaries, monasteries and convents, thronged with the cadets of noble houses who, through the right of primogeniture, had no resource but to choose between a military or a religious career. The governments sought to take appropriate measures, but they should have abolished primogeniture while there was yet time, or brought a better regulation of the system of inheritance. They believed it would be enough to restrict the number of religious houses and of the monks or nuns allowed in each. Once embarked upon this course, government intervention reached the point of a supervision of the discipline and morals of the religious houses, especially when there was fear lest curialist maxims perilous to the rights of the State were taught there, or that they might harbour politically suspect elements. Religious houses were on occasion the centres of a web of interests of powerful families and intrigues of ambitious courtiers.

The monarchies always looked askance upon the fiscal immunity of Church property; the story of the controversies it created is a long and bitter one. In France the clergy often yielded to the King's instances over war contributions and other needs of the treasury; from time to time spontaneous donations were made to propitiate him. This system had become common in Catholic countries. When it was necessary, the assent or permission of the Pope was asked. This however satisfied neither the kings, who were made dependent on the clergy assemblies, to whom they had to give the reasons for their requests, nor the propertied classes, who groaned under the fiscal burdens on their possessions; public opinion and the reformist trend were contrary to the fiscal privileges of the clergy.

A vigorous struggle was waged against the immunity possessed by consecrated places; the State no longer tolerated the system of sanctuary in the churches of monasteries and bishoprics, often the hiding-places of factious men, brigands and thieves, or those politically persecuted. There was an endeavour to subject the whole territory of a country, without exceptions or privileges, to the supervision of the royal police. We must recognise that in those days the police system was rudimentary; citizens were insufficiently protected against arbitrary

acts on the part of power or of the dominant families. Such exempt sanctuaries could still fulfil a certain social function, which would gradually diminish as the organisation of the State improved. The clergy for the most part did not consider the problem from the social angle, but from the standpoint of Canon Law and tradition. Therefore they resisted the governments, viewing their action as unlawful interference and an infringement of the privileges of the Church. A stronger resistance was made to State encroachments on the ecclesiastical courts, where these still flourished. In this period we find in France priests sentenced to be whipped or banished by the royal tribunals and the Parlements. In Spain and elsewhere the Inquisition was a mixed tribunal in the hands of the monarchs, having the right to deal with the offences of clerics, including bishops. But the ecclesiastical courts in all Catholic countries dealt not only with common crimes or indiscipline among the clergy, but also with certain offences committed by laymen, such as concubinage. The Church's resistance on this point was such that the Catholic States of the XVIII century did not accomplish the abolition of the ecclesiastical courts, but only certain particular reforms, limiting their competence.

By the system of the confessional State and through ancient regalist traditions, papal acts had to be authorised by the royal *exequatur* and *placet*. During the jurisdictionalist period this system was extended to cover acts that had no legislative character, and did not involve the revenues of the churches or benefices reserved to the Pope, but were merely grants of personal favours, ecclesiastical permits or disciplinary dispensations. These acts too had to pass under government control, which was becoming vexatious. It was common to forbid bishops, clergy and faithful, to communicate directly with Rome. There was an endeavour to centralise ecclesiastical business in government offices or royal councils created for the purpose. In order to avoid the effect, of excommunications and interdicts, threatened by the popes to protect their rights or to strike at undisciplined churchmen, the governments took their stand on the jurisdictionalist theories, which declared that such censures were not binding in conscience, but only of an external, legalistic or ritual character. In view of the disturbance to public and economic life brought about by interdicts, the jurisdictionalists con-

tested this right to the popes and bishops in what were deemed political matters, and demanded the prior consent of the secular power in the case of strictly ecclesiastical matters. The jurisdictionalist struggle was juridical in form, but really political and economic in substance.

If the positions of the State in its disputes either with Rome or with curialist bishops were to be always and surely defended, it was necessary to have a clergy that was not only not hostile but convinced, from the canonical and theological standpoints, that the State was in its rights. Hence the care taken by the governments in the appointment of bishops and beneficed clergy, the strict supervision to ensure that books like those of Santarelli (of which we have already spoken) or of the Franciscan, Bianchi, to mention the most hated, should not be published or circulated in the kingdom; above all a control of the teaching not only in the universities but in the episcopal seminaries and monastic schools. The common doctrines were the Regalist, Gallican and Febronian. There might be attenuations (often formal) and controversies on the points most hostile to the Papacy and showing small conformity with the Tridentine decisions, but in general the education of secular and regular clergy tended towards State jurisdictionalism. In the dispute between Benedict XIV and the Venetian Republic over the decree of 1754, which, based on a strictly regalist conception, limited many of the faculties of the clergy, many ecclesiastics sided with the Republic. The Republic gave in to the Pope who succeeded, simply because he was a Venetian (Rezzonico, who took the name of Clement XIII), but the act rescinding the decree asserted that the Pope 'recognised the legislative faculty born with the Republic and always exercised by us'.

The situation that was being created constrained Rome to show indulgence towards the monarchs and heads of States, and to take advantage of diplomatic expedients and of such propitious occasions as might arise from dissension between the States and their need, in their continual wars, of papal support. But often the disputes with Rome assumed an ugly aspect, and ministers and even the monarchs themselves adopted an arrogant and contemptuous tone. The popes were placed in positions of increasing difficulty, driven back upon a ground that grew more and more confined. Their methods had become

less effectual. The days of excommunications and interdicts had passed, and the feudal rights that they might claim had no longer the significance of once upon a time. When the Emperor Charles VI granted the title of king to the Elector of Brandenburg, Frederick III (1700), Clement XI opposed it, both in the name of the Holy See's rights over the Electorate and because the Hohenzollerns were Protestants. But the papal protest had no effect; what interested Austria was the friendship of Prussia and the eight thousand soldiers promised for the War of the Spanish Succession which was about to begin.

The same Clement XI was constrained by armed force to recognise to the House of Austria the succession to the throne of Spain, Naples and Sicily (1709); hence the wrath of Philip V and Louis XIV, which rebounded on the ecclesiastical questions then under consideration. In the meantime, through the Peace of Utrecht of 1713, Sicily had been given to Victor Amadeus II of Savoy, to the anger of the Pope, who had the right of feudal sovereignty over Sicily. The dispute reached such a pitch that Clement put the whole island under an interdict, and Victor Amadeus replied by driving out a good three thousand priests. Victor Amadeus's reign was brief, and in 1718 he had to abandon Sicily, accepting Sardinia as compensation, the royal title to which would remain to the House of Savoy till the unification of the Kingdom of Italy. But the question of Naples and Sicily was not yet closed. Innocent XIII in 1722 confirmed the investiture of the House of Austria, and, to re-establish the papal right that had been set aside, he revived the practice of the annual offer of the white mule, as feudal tribute. The House of Austria soon after lost Naples and Sicily through the Treaty of the Escurial in 1733, which bound together Spain, France and Savoy against it. The Bourbon Charles (later Charles III of Spain) became king, and Naples and Sicily were recognised as an autonomous kingdom. The question of the white mule on several occasions disturbed relations between that realm and the Holy See, till its suppression by unilateral decision. The old feudal right that had brought so much trouble to Rome thus came to an end.

It was in Naples that there arose one of the most representative writers of the time, who combined the jurisdictionalist conception of the State with a special hatred for the Papacy, Pietro Giannone, born

in 1676, who may be called a Voltairian before his time. He wrote the *History of the Kingdom of Naples* as a polemical work (1723); it had a great success and in 1729 was translated into English, in 1738 into French, in 1758 into German. Forced to leave Naples, he went to Vienna, where he wrote another anti-papal book, *The Triple Kingdom*. Persecuted, he took refuge in Geneva, where he fell into the trap laid for him by the King of Sardinia, who had an understanding with Rome. Thrown into prison, he remained there till his death in 1748. Pietro Giannone, both for the jurisdictionalists and for the Encyclopedists and anticlerical currents of the time was a martyr, and one of the strongest champions of the Italian Enlightenment.

It was during this period that Benedict XIII, who was a weak Pope and had left political business in the hands of untrustworthy persons like Cardinal Coscia, thought to put Gregory VII among the saints; he may have been moved by devotion towards the great Pope and perhaps also wished to recall, in the midst of so many acts of weakness, a strong Pope who had vindicated the superiority of the Church over the secular power. But a general protest arose from the Jansenist and Febronian currents. The governments formally opposed the cult of the new saint and prevented the saying of his Mass and office. The Pope stood firm, and by an act of 1729 annulled all the decrees of the various States on the matter. (It was the time when kings did not wish the *Magnificat* to be sung because of the verse: 'He has put down the mighty from their seat and has exalted the humble'.)

During this period Rome was coming to the conclusion that it was far better to have recourse to Concordats with the Catholic States in order to fix the limits of reciprocal rights and concessions. After the Council of Trent only one Concordat had been made, that of 1640 between Urban VIII and the Emperor, Ferdinand II, to settle the ecclesiastical questions of Bohemia. Only in 1727, after the sharp disputes with the House of Savoy in Sicily and Sardinia, did Benedict XIII draw up what would be the typical form of Concordat of the period. But the disputes with the House of Savoy were so continuous that the first Concordat was followed by four others in 1741, 1742, 1750 and 1770. In 1736 Clement XII made a Concordat with Poland. The most important were those with Spain in 1737 (under the same Pope), and

in 1753 under Benedict XIV, who in 1741 had regularised the new situation of the kingdom of Naples and Sicily and in 1757 would do the same with the Duchy of Milan, showing so much indulgence as to make his Cardinals murmur against him. It was hoped that by fixing the terms of the relations between the Church and the separate States motives of friction would be eliminated. Unhappily the legal formulation of such relations evaded the problems which arose from diverse and often antithetical conceptions and from the ferment of new ideas.

§ 40.—The struggle against the Jesuits for their suppression had a threefold character that came from anti-curialism, Jansenism and the Enlightenment. From its start the Company of Jesus had met with hostility, but the strife aroused by this new type of congregation had been either on the lines of the rivalry between religious Orders of diverse tendency, or on those of theological and ascetic controversy. Many ecclesiastics, bishops and cardinals and even an occasional pope were hostile to the Jesuits for one reason or another, into which it would be fruitless to enter here. Much hostility came from the princes, either because the Jesuits maintained the rights of the Papacy, contesting the regalist and Gallican theories, or because they supported the thesis of the popular origin of power and that more daring one of tyrannicide. There was also jealousy of them because of their growing influence, their methods of education, their enterprise and corporate spirit. They irritated not a few by their ardent and sometimes biting polemics against adversaries of the Church, real or so believed, especially by their unflagging war against Jansenism and the Jansenists. But what made the Jesuits redoubtable and detestable to certain people was their power in the Courts, as confessors, spiritual and political counsellors, channels of royal favour or disgrace. Hence envy, rancour, adulation and intrigues.

Up till now, however, apart from human weaknesses, errors and malice, on either side, no one in attacking the Jesuits meant to attack the Catholic Church as such. Indeed it was believed (and by many in good faith) that it would be good for the Church to reduce them to subjection, to keep them within due limits and even to send them away

from places where they had raised tempests. Whether such measures came from the Pope or bishops, or from the monarchs and parliaments, had no importance in view of the current ideas on the exercise of the authority of the Church and the rights, real or otherwise, of the Catholic monarch. In the XVIII century philosophical naturalism, political reformism and the Enlightenment of the Encyclopedists for the first time gave the anti-Jesuit struggle an anti-Catholic colour. Not all perceived this background to the picture, through the weight of anti-Jesuit resentment that had accumulated in nearly a century of friction. Political pretexts were not wanting and not a few men believed they were defending religious interests that had been prejudiced by the ill-considered and overweening attitude of the Jesuits. The development of the Jansenist current among the Catholic clergy (not only in France, but elsewhere) and of anti-curial Febronianism obscured the anti-religious motives of this struggle, which was conducted with the utmost intransigence by the Catholic monarchies.

The dispute over the Indian colonies of Paraguay, founded and administered by the Jesuits under the name of 'Reductions' aroused violent resentment in the governments of Lisbon and Madrid. For some time the Portuguese and Spaniards of South America wanted to destroy the 'Reductions', which formed an obstacle to the lucrative slave trade and among the colonies were a 'scandal' through their economic prosperity, their incorrupt administration and the spirit of 'Christian socialism' before its time (it is a mistake to speak of communism), which had so widely developed and taken root there. A first attempt was made by inciting the 'Mamelukes' (a kind of native brigand) to assail some of the colonies. The Jesuits at first sought to remove the bordering populations, most exposed to the raids, to surer centres, but when they were again molested and assailed, they asked the King of Spain for permission to arm and defend themselves. This they did with much ability, with technical skill and fair armaments. Unfortunately Spain, wishing in 1750 to settle her frontier questions with the Portuguese colonies, ceded a part of Paraguay. This was a good opportunity to destroy the 'Reductions', which put up a well-organised armed resistance. Now the Spaniards, now the Portuguese had to retreat before the fire of the Indians, till both, uniting their

forces, made a final assault and were victorious. As the epilogue of this romantic episode the Jesuits were accused on grave charges for rebellion, for failure to pay taxes proportionate to their commercial turnover, for making treaties with neighbouring tribes, for refusing obedience to the governments of Lisbon and Madrid, and finally for having coined money with the effigy of a certain Father Nicholas.

The Portuguese court had other charges against the Jesuits. They had become so powerful in this kingdom as to be reputed a State within the State. Bound up with the aristocracy, they had more influence than the ministers. The King, Joseph I, did not count; he was sickly and left the care of the State to his ministers, preferring amusement and women to business. His minister Pombal, a bourgeois by birth, despised by the aristocracy, imbued with the ideas of the Encyclopedists, was at odds with the Jesuits, who at the beginning of his career had protected him. In the beginning of 1758 he obtained from Benedict XIV, a little before the latter's death, the appointment of a Visitor for the Jesuit houses and Cardinal Saldahna was entrusted with this office. Thereupon they were forbidden to preach or hear confessions in the whole orbit of the Patriarchate of Lisbon (kingdom and colonies); the confessors of the King and of the court were dismissed and a more radical decision was awaited when Pombal found the occasion that precipitated events. The young Marquis of Tavora, angered by the king's illicit relations with the Marquise his wife, lay in wait for him on one of his clandestine visits and fired a shot at him from a carbine, missing his aim. At Court it was immediately presumed that behind Tavora stood the Jesuits, since he would not have dared fire on the King unless he had a strong backing. A case was made out against the fathers Malagrida, Matti, and Alessandro, who were tortured and put to death by the Portuguese Inquisition. Two hundred and twenty-one fathers were imprisoned on a ship anchored in the Tagus; all the rest, including those in the colonies, were expelled from Portuguese territory. In vain did the new Pope, Clement XIII, request that he himself should judge the guilty, and appeal for grace for the others who were held prisoner. On receiving a negative reply, he protested against the measures taken. Thereupon the Nuncio was expelled and diplomatic relations between Portugal and the Holy See were broken off.

After Portugal, France. Here the feeling against the Jesuits had been steadily growing through their two-fold clash with the Gallicans and with the Jansenists; to this was now added the hatred of the Encyclopedists and the resentment of the Court, especially of La Pompadour who completely dominated Louis XV. In those days the problem of the Paschal Communion of the King (a public adulterer) greatly troubled confessors: it was complicated by Court gossip over the refusal to give Communion to La Pompadour. Easter for such a world was a social convention rather than a religious duty that called for moral conduct. Great and petty causes fed the resentment against the Jesuits. The climax came with the case against Father Lavalette, director of the colony of Martinique, who, to assure an income to the Jesuit missions, had taken to commerce. When certain cargoes were captured by the English, Father Lavalette could not meet his payments. A house of Marseilles thereupon laid a suit against the Jesuit Order, but the Provincial replied that they were under no obligation to pay Lavalette's debts, especially since their rules forbade any act of commerce. The award of the Marseilles court went against the Order, which appealed to the Parlement of Paris. The Parlement obliged the Jesuits to produce their rules and, while dismissing the appeal, declared certain of the provisions of these rules to be immoral and dangerous to the State. In the polemics that ensued, and in the *salons* of Paris and the provinces, the old questions of the end justifying the means, mental reservation, laxist morals and tyrannicide were brought up again. The Parlement intervened, ordering that the books published by the Jesuits from 1590 onwards should be burned—a great bonfire of folios—prohibiting public lectures by Jesuits, and ordering families to withdraw pupils from the Jesuit colleges. The King summoned the bishops who at once started an enquiry into the moral charges against the Jesuits. These thought it opportune to issue a declaration of Gallican faith, not very unlike the earlier ones that we have already mentioned, but with the difference that in the past these had been forced from them and now they themselves came forward as though to propitiate the bishop. What was worse, they took the occasion to declare that they would always teach '. . . the doctrine established by the Clergy of France in the Four Propositions at the assembly of 1682', and that they

would 'never teach anything contrary to them'.[1] —thus forgetting the papal condemnation of the Four Propositions and the obligation laid on the bishops to retract them.

But such declarations were out of date. The situation had changed. Although the bishops were in large majority opposed to the expulsion of the Jesuits, the Parlements (Paris first, then the provinces) decided that the Company must be suppressed, its members expelled, its property confiscated. Louis XV who needed the Parlement for new taxes, and who was ruled by La Pompadour and his minister, Choiseul, ended by signing the decree. Pope Clement XIII protested, but his Bull *Apostolicum pascendi* of January 9, 1765, was never published in France and did not come into force.

Spain soon follows. Charles III came from Naples, having renounced his crown there for the sake of the Spanish succession. He passed for an enlightened, paternalist but absolutist king; the celebrated Bernardo Tannucci had been his tutor and minister. He took umbrage at the immense power of the Jesuits and did not like their methods. At the time there was fear of a revolt, fed by the clandestine circulation of pamphlets and leaflets. The Court and the police saw in them the hand of the Jesuits. The incident of the hats had a catastrophic outcome. The police had noticed men wearing wide-brimmed hats and voluminous cloaks. This roused their alarm, and a decree was issued forbidding the suspect attire. But what did it mean? One day the streets of Madrid were filled by a crowd of wide-brimmed hats and voluminous cloaks. Was it a demonstration? The beginning of a revolt? The crowd would not disperse in spite of the intervention of the guards and the King's promise to dismiss the Minister of Finance, who was responsible for the 'hat decree'. Finally the Jesuits appeared and persuaded the demonstrators to go home. Their intervention had been too effectual, the acquiescence of the crowd too ready, not to arouse suspicion that the Jesuits were behind it all. There were those who accused them of preparing a plot. The Minister Arandha was of the type of Tannucci, Pombal, Choiseul; the example of Portugal and France gave courage for a similar *coup* in Spain, but Charles III wanted

[1] 'La doctrine établie par le Clergé de France dans les quatre propositions à l'assemblée de 1682, et que nous n'enseignerons jamais rien qui y soit contraire.'

it to be without agitations, discussions or trials. In 1767 the Governors of the kingdom received an order to open certain sealed letters in the night of April 2–3, and to carry out immediately the royal commands they contained. By these commands the Jesuits were that very night expelled from their houses, taken to the ports, and finally embarked on a ship and driven out of the country. Where were they to go? Naples refused to receive them. Civitavecchia, a papal city, rejected them. They ultimately landed in Corsica, which still belonged to the Republic of Genoa. The Pope intervened, yet again without result. The example of Spain was followed by her satellites, Naples and Sicily, Parma and Piacenza, which likewise expelled the Jesuits.

In the following year the Franciscan Ganganelli ascended the papal throne, taking the name of Clement XIV. During the conclave the Catholic courts had ventilated their wish, or rather their will, to finish with the Jesuits. The choice of pope had been conditioned by this policy. The Pope delayed nearly five years, ordering enquiries and study, or trying to placate the courts. Several times he declared that he wanted the prior consent of all the Catholic sovereigns, and Maria Theresa of Austria would not give hers in spite of the insistence of her son Joseph II, co-ruler with his mother over the hereditary States. Mainz and Bavaria, which were at odds with the Jesuits for one reason or another, consented, and finally Maria Theresa herself gave in. The Pope had no further political excuse for retarding the decision which for five years had been hanging over the head of the Order. The Jesuit seminaries of Rome and of the Papal States were closed and on July 21, 1773, the Bull *Dominus ac Redemptor* was promulgated, which decreed the suppression of the Company of Jesus. All the Catholic States hastened to receive it in legal form, to the great joy of the Jesuits' enemies. The Prussia of Frederick II and the Russia of Catherine II wished to show themselves extraneous to papal Bulls and the hatreds of the Catholic courts by receiving the Jesuit refugees, but the Order as such legally ceased to exist.

Clement XIV is the last of the popes whose acts have been subjected even by Catholic historians to open criticism. From Pius VI onwards their attitude is rather that of apologists. It is fortunate that we find this precedent in respect of a recent pope, so that no irreverence can be

imputed to anyone using the same historical method towards some of his successors. Actually, there are three points to be made against Clement—the first, that of having yielded in the conclave to the condition imposed by the Courts; the second, that of subordinating his decision to the consent of all the Catholic sovereigns; the third that of presenting the suppression of the Order as carried out to safeguard the interests of the Church and to assure the unity of the Spirit in the bond of peace. It is usual to attenuate Clement's responsibility by the melancholy conditions of the time and the conspiracy of the Courts; indeed no reasonable historian can take any other view. But what would have better corresponded to the nature of the crisis would have been a reform of the Company, to eradicate those evils that had arisen from its power and wealth. To accomplish this, apart from his qualities as a man of government, Clement XIV would have needed to be sure of a free and independent episcopate; he would have needed the courage to face the problem of a wider reform, to break through the bonds of jurisdictionalism, renouncing the defence of a series of rights that for the Church were so many fetters. There would then have been a repetition, in other circumstances, of the situation in the conflict between the Papacy and the Empire; it would have needed therefore another and more fortunate Paschal II to abandon the worldly interests that weighed too heavily upon the Church. St. Alphonse of Liguori, one of the most notable saints of the time, said: 'Poor pope, what could he do in the difficult circumstances in which he found himself, when all the Crowns in concert demanded the suppression?' And the Jesuit, Father Cordaro, wrote that in the Pope's place he would have done the same. Apart from such defence, which does not eliminate the Pope's responsibility, it must be agreed that not a few Jesuits had adopted a position that had become untenable, with their court confessors, their ties with aristocratic families, and their system of favouring or combating ministers and powerful men. A similar method, when it is practised not by a single ecclesiastic, be he even a Cardinal like Richelieu, Mazarin or Alberoni, but by men bound by discipline in a widespread, rich and protected Order, perpetuates itself beyond the brief span of one man's life and may assume the aspect of a State within the State, or a Church within the Church.

To their credit it must be recognised that in the whole period of the Counter-Reformation there were Jesuits of great sanctity, intelligence and heart, true apostles and martyrs, men detached from the world yet living in the world and fighting in the world. But there were also the narrow-minded, the intransigent and obstinate, and the harsh and satirical polemists; unhappily among many great and generous souls petty intriguers were not lacking. Their zeal was multifarious and extraordinary, like their iron and volitive discipline. It was impossible for them not to carry with them the defects of an activism that wanted the end at any cost, and not to magnify too much an *esprit de corps* that had been rendered acute by their power, their successes and their titanic struggles. All this, though without a pre-established aim, led to a displacement of the battlefield from the Papacy to the Jesuit world. The Papacy, made to unite about it the militants of all sectors, was weakened; the Jesuit world, because it took its character from a particular Order, led to the detachment of all those (secular clergy, religious Orders, institutions and groups) who dissented from its theories or its methods or the pre-eminent persons who directed and represented them. It is true that the Jesuits, in the spirit and intention of all their members, were an Order faithful to Rome, defending the rights of the Church. It is true that the popes trusted much to the Jesuits to obtain for them, either by open campaigns or by secret ways and by their influence in the Courts, what they were unable to obtain through their diplomats and through the bishops. But by this the popes were not seldom weakened—especially when they were constrained by events to repudiate them after having used them—and often also it led them to pursue methods and ways that were not the best from the point of view of a limpid moral rectitude and of respect for the supreme authority.

For the Jesuits, the period of suppression was a purifying trial, but for the Papacy it was a humiliation that did not help it to gain either prestige or the good-will and trust of the monarchies. These were set on a course of ever greater disengagement from Rome, towards the autonomy of the State and powers so full and absolute as to demand the complete subjection of the Church and her elimination from the political field. The reformist currents were moving towards

this goal, but in Rome greater importance was still attached to relations with the sovereigns and their circles than to the new currents that were gaining ground and that sought to sweep away both monarchic absolutism and ecclesiastical authoritarianism. The authoritarian conception of society was so deeply rooted (and to this the Jesuits of the XVIII century had notably contributed) that it was inconceivable for the Church to do otherwise than to seek, by all methods and at any sacrifice, the agreement and collaboration of the princes.

§ 41.—Just as in the Protestant countries in the XVII century there had come about a new orientation and an inward change of which the ripples had reached the Catholic countries, so in the XVIII century there came about a transformation in the Catholic countries that was reflected in the Protestant ones. The centre of this crisis was France. Here the ferment of ideas was more active because the intellectual class was larger and there were continuous contacts with Holland, England and Germany. The *grand siècle* had left a fruitful heritage in letters and philosophy, Paris was the centre of European life, Versailles the leading court; whereas Rome, Venice, Florence on the one hand, and Madrid on the other, no longer had the international role that had once been theirs, and Vienna was only then beginning, under Maria Theresa, to emulate the great capitals.

There was a weariness among men of culture of strictly religious and dogmatic polemics, like those over grace and free will between Jansenists and Jesuits. The curiosity of the reading public was turned to the concrete problems of knowledge and of earthly life, to render it less dreary, to achieve a new order, with aspirations towards reform in every field, for everywhere there was a sense of the weight of an old world in conflict with general aspirations. The fascinating idea was that of Nature—a fundamental naturalism, which assumed now sentimental, now philosophical, now artistic aspects, which crept into all the recesses of the thought of the time, like the revelation of a happy world to which the contemporary system, based on dogmatic and authoritarian religion and on absolute government was in contradiction.

The conception of Nature, of man in the abstract as naturally endowed with all good qualities, arose out of that of reason as the sure

light of truth and that of the Law of Nature as the basis of human sociability. Descartes and the rationalists, Grotius, Pufendorf and the jusnaturalists had contributed to make of nature an ideal and almost mystical element; the natural was tending to supplant the supernatural, reason was taking a more important place than faith, and indeed a growing opposition was developing between the two terms. The ideal of a nature endowed with reason and all the qualities that would make man happy was contrasted with real society, full of inequalities, injustices, bonds, oppressions and miseries. Men of letters, journalists and philosophers who had to fight the ecclesiastical and political censorship in order to publish their books or to obtain those books the circulation of which was forbidden, vented their wrath on the authoritarian system. The economic crisis, due to bad government, wars, the gross inequalities of taxation and the excessive proportion absorbed by the government, incited to the study of reforms. The judicial system, both civil and criminal, presented itself as illogical, barbarous, corrupt and unjust. The educational methods of the schools and colleges, based on authoritarian discipline and constraint, the dogmatic and classical teaching, made up of rhetoric and scholasticism, were reputed in contradiction to the naturalistic and sentimental conception that was taking shape. And since the whole world of the time presented itself under a predominantly religious aspect—from the power of the King, as coming from God, to education, which was in the hands of the religious Orders and bishops, and even to the allotment of taxes, over which the parish priest presided, while in the Sorbonne and the States-General and the royal councils there was not a place where the clergy were not present, wholly bound up with the régime and making one with it in the economic and political structure of the country—thus the formation of the naturalistic currents tended to be directed against the domination of the clergy, the content of Christian teaching, and faith itself.

In a police- and censorship-régime, anyone who wrote openly against the faith ended in the Bastille or in exile, and his books were burned by the public executioner. There were a thousand ways of evading these dangers, so long as criticisms were subtle and insinuating, and the satire refined and never direct, founded on analogies to be understood

by all except the censor—whether the ostensible subject was the kingdom of the Persians, or the life of Mahomet, or the views of the English Quakers, or those of the ancient Greeks and Romans, or the study of hypothetical societies beyond the Ocean, Canadian or Australian. What mattered was to bring into light natural society, natural morality, natural religion, and to criticise the offshoots of the actual society of the time, its prejudices, superstitions, cruelties, tyrannies. Such insinuating and persistent criticism was on occasion judged as impious, contrary to faith and dangerous to the throne. But repression was not such as to prevent the clandestine circulation of those books and pamphlets, which were all the more sought after and appreciated, and excited the curiosity of supervised schoolboys and of wide-awake young women.

Controversy there was in plenty—weighty books of confutation and others in their turn lively and sarcastic, journals and reviews, libels and broadsheets; nor was there any lack of episcopal charges warning the faithful of danger and forbidding the more perilous books. Unfortunately the traditional writers were not among the most brilliant, either in ideas or art; they nearly all failed to understand the psychological motives favouring the naturalistic current, and for the most part they maintained so close a connection between the Catholic religion and the established order as to render, according to the point of view, either the cause of religion or that of order unpalatable. They did not understand that they were faced by a crisis of thought, by the quest for a new moral and political orientation, for a profound renewal of the social structure.

To certain modern Catholic writers it has seemed strange, to say the least, that while the Church and clergy, both upper and lower, through jurisdictionalist motives and political aims were treated by governments and Parlements in the most oppressive manner, they were attacked by the Encyclopedists as authoritarian dominators, as those on whom the hate of the innovators must discharge itself. Those who raise this question forget that while the jurisdictionalist disputes took place between the civil and ecclesiastical powers and between the Sorbonne or Parlement and the bishops, the moral, philosophical and juridical campaign of the Encyclopedists was directed against religious intolerance, against arbitrary power, against the judicial methods, against all that

was or was deemed superstitious, against educational methods, the dogmatic spirit and intellectual authoritarianism. Philosophers, politicians, economists, historians, novelists, *literati* and polemists in setting their course by the ideal of a good nature, of a better earthly order, of a law equal for all, were whetting a spirit of research and criticism and dreaming of generous utopias and idyllic societies. Therefore, they despised the past, the whole of the past, even the religious Christian past which was rejected from incomprehension, whereas Greek and Roman history and an alleged pre-history were cherished. Their hatred of the Church, their resentment against the civil order, and their destructive satire lacked historical foundations.

One of the deepest reasons for the contrast between a logical rationalism with *idées simples et claires* and a pronounced utopianism, between the need for reforms and the demolition of the civil and spiritual order, can be found in a certain lack of historical sense in the Enlightenment. Those who have in prospect a palingenesis, a messianic transformation, no longer understand the past; they would start afresh at Year One. The repudiation of the past is the repudiation of history. This would come about with the French Revolution, but it is spiritually prepared by the Encyclopedia. This statement may sound strange about a period when the revival of historical studies had produced men like Leibniz, Muratori, Mabillon and Vico, the last the true creator of reconstructive and philosophical history. But Vico's work was known only later and the great philologists were then laying the rational foundations of historical construction, and had as yet no influence in forming the historical sense of their contemporaries. Voltaire, who had the qualities of an historian, wrote (as is done also to-day) with polemical aim and from extrinsic motives. History and philosophy were then separate and opposed; and therefore the Enlightenment could not understand the true spirit of history.

A history that ignores the reasons of the past and repudiates it is no longer history. A human reason that reveals itself to itself as a palingenetic novelty, denying the past that has led it to the point it has reached, is no longer human reason but a revelation, albeit a lay one, to be set against religious revelation. It will lack *continuity*, the historical law posited by Leibniz; it will be lacking in *inward process*, the historical

law divined by Vico. On the other hand those who opposed the Encyclopedists in the name of the past, of tradition, of absolute power and of the Church, presented the historical resultant as something fixed, immutable, abstracted from the dynamism of reality, alien to the changing of men and the succession of events. It is true that Bossuet in his *Discours sur l'histoire universelle* did not omit to mention the 'spirit of the times or of the nations', in order to bring out that besides Providence there were the secondary causes, but apart from the general incapacity to explain the inward movement of such causes and the laws of their contingency and continuity, the reformist trend was met by an immutable stability, the need for liberty by an absolute authority, the impulse of reason by the application of an exclusive and non-comprehensive supernatural law. Thus the traditionalists too stood outside history and precipitated the clash of the two worlds, both conceived outside temporal relativity—the world of a rational and good nature and the world of an absolutist and ossified Christianity.

When Montesquieu's *Esprit des Lois* appeared in 1748, it had an immense success. The prohibition to introduce it into France was soon raised; the Sorbonne meditated a censure, but thought better of it. The book was appreciated not so much for its constitutional content and constructive value as for its reformistic spirit, the way in which it threw into relief problems felt in practical life—all elements that would polarise the keen attention and awakened curiosity of the great public. In the authoritarian conception, the law came from God and the King was its minister and manifestation; in Montesquieu's approach, the law assumed the relative character of a custom suited to the particular conditions of a people, an age, a climate, a culture. The idea of good and evil no longer referred to a complex of precepts and prohibitions that came from above, but to the utility a custom or law might procure for the social group. Montesquieu's criticism was founded on the idea of social utility. Intolerance, tyranny, slavery, serfdom are useless and dangerous; hence the necessity to reform or abolish them. His attitude remained one of reformistic pragmatism, which did not succeed in grasping either permanent values or the historical continuity of the life of peoples. If this was Montesquieu for his contemporaries, he would appear otherwise to the public of half a century later.

The same happens with Rousseau. To his contemporaries he is not so much the author of the *Contrat Social* as the author of *Emile* or *La Nouvelle Héloise*, and later of the *Confessions*. Rousseau's conception of nature is the same as that of the whole naturalistic literature of the time. The idea of a nature initially happy without need of laws is a pendant to that of a happy and harmonious society under the rule of reason—a mythical and static conception, to be raised as a counter-altar to the Christian conception between two paradises, Adam's Eden and the promised heaven. But the naturalists needed to eliminate not God (a vague deism and a so-called natural religion sufficed them) but Original Sin, the Redemption, Christ and the Church, the rewards and penalties of the next life. All this for them was bound up with dogmatic intolerance and tyrannical absolutism in the name of the supernatural. Rousseau drew entire attention to education; men were not evil by nature but corrupted by false education and by society; it was necessary to refashion education so that it should inform society; right feelings, love, fraternity, solidarity, would lead men to a happy life.

The Encyclopedists and Voltaire above all, with original works, studies, histories, criticism, works of popularisation, polemical pamphlets, poems, novels and satires, spread broadcast a spirit of revolt against the religious past, of deification of reason, of expectancy of a better future through the new methods of education and schooling, through social and political reforms, through the destruction of the might of the Church. The favourite image was that of the light of the new philosophy as against obscurantism and superstition represented by Christianity; hence men spoke of the *Siècle des Lumières*, while among the Italians the new trend was known as *Illuminismo*, among the Germans as the *Aufklaerung*, among the English as the *Enlightenment*. Voltaire's action was the most effectual for more than half a century of writings of every kind, tragedies, comedies, poems (he aspired to the title of epic poet with his *Henriade*, hoping to rival Virgil and Tasso), his letters on England, *l'Esprit des Moeurs*, and above all *Candide* and *l'Ingénu*, which satirised together the works of God and those of governments. But to his writings, which circulated throughout the world, through their mordant vivacity and limpidity of style, he added—and

it was to his advantage and his credit—the defence and rehabilitation of those unjustly condemned. The case of the Protestant Calas, condemned to death on a charge of murdering his daughter who wished to become a Catholic, that of the Protestant family Sirven, condemned in contumacy on a charge of drowning their daughter in a well because she had become converted to Catholicism, that of the Chevalier de la Barre, condemned for sacrilege, these and other cases gave Voltaire the occasion of presenting himself as the champion of condemned innocence and as the accuser of the defects and crimes of the judicial system and of religious intolerance. The effect in France and elsewhere was immense, and gave fresh motives for the anti-religious struggle.

The publication of the Encyclopedia, which began in 1751 and was completed in 1765, in spite of all the difficulties from the Church and from the political authorities, marks the salient point of this movement of thought and orientation in the XVIII century. The furnishing of information, scientific and practical, historical and moral, literary and artistic, religious and political, by means of huge analytical and alphabetical publications was not new. There had been Cyclopedias, Encyclopedias and *Thesauri*, each more or less an indigestible hotch-potch. But the publication of the *Encyclopédie du Dictionnaire universel des arts et des sciences* was an unique event in the world of culture and was esteemed by many as a real war engine against the Church and despotic government. Clement XIII condemned it in 1759, during the period when its publication was suspended by order of the Parlement of Paris. The suspension was rescinded through the protection of La Pompadour, of the Minister Choiseul and of Malesherbes, during the phase of tension that preceded the expulsion of the Jesuits. The success of the *Encyclopédie* was international. There were translations and foreign editions, as well as imitations. The *Encyclopedia Britannica* started publication in 1768.

At the sight of so intensive a movement of ideas and events, undermining the foundations of the Church and the traditional order, there have been those who explain it by an occult cause, as a planned conspiracy working towards a definite goal. Freemasonry has been indicated, for precisely at this time was it developing in France, imported by the English refugees who followed Charles Stuart to St. Germain.

It appears that the first affiliations go back to 1736. Curiosity was aroused by the rule of secrecy. In 1737 Cardinal Fleury, then Minister of Louis XV, forbade the meetings of the Lodges that had already been founded here and there in France. Clement XII in 1738 issued a bull: *In eminenti apostolatus specula*, in which, on the rumours that had grown up round the new society, and 'thinking of the grave evils that might be brought not only to the tranquillity of the temporal society, but also to the spiritual health of souls', he called for proceedings against the Freemasons as 'vehemently suspect of heresy—*de haeresi vehementer suspectos*', with, eventually, the intervention of the secular arm. Clement's condemnation had no great echo. The government of Louis XV was very luke-warm about it; most were convinced of the harmlessness of Freemasonry, many of the nobility belonged to it, with a good number of priests and friars, while great ladies formed the women's lodges.

In 1751 there was a fresh condemnation, by Benedict XIV, who gained no better hearing than Clement XII. Indeed from now onwards proceedings against freemasons, always very mild, become extremely rare, and rare too the voices of bishops concerned about them. The Sorbonne intervenes in 1763 with a condemnation, but under the shafts of the Encyclopedists the Sorbonne was losing credit and authority. There is a certain dissension among the Brotherhood; the English rite and the Scottish rite do not agree—there are expulsions from the lodges, and the creation of the Grand Orient of France, which condemns and ends the Grand Lodge. In 1773 the Duke of Chartres (the future Philippe-Egalité) is Grand Master. L'abbé I. P. Lapanze, a much respected priest, is Venerable of the lodge of English rite of Bordeaux and in 1782 presides at the general lodge; freemason priests had no fear of declaring themselves such, indeed they held it as an honour. An occultistic current crept into French Masonry, imported from Germany or fermented locally, with a mingling of Catholic mysticism, of visionism (like that of the *illuminati* of Bavaria) and of Templarism and magical occultism. Later we shall find Joseph de Maistre 'Grand Orator' of the lodge of Chambéry, which followed the 'Martinist' type (called after Saint-Martin) of the Lyonese branch.

In the XVIII century the French Masonic movement like the English

was deistic, 'enlightened', reformist and mysticising, and followed the prudent maxim: *nihil de principe parum de Deo*. To make it play the part of an active and propulsive element, the centre of a battle against the Church and Power, is to make a myth of it. In the whirlpool of the French Revolution, some began to think that Freemasonry had something to do with it, and little by little, after it had adopted an openly anti-Catholic attitude in the XIX century, it came to be considered the occult cause of all the upheavals. But historically it may be taken as proved, in spite of certain dissentient voices, that the role of Freemasonry then and even later was that of the *mouche cochère*, and even this was attributed to it *post factum*.

Freemasonry was then a sign of the times, the child of the age, animated by its spirit. If priests and friars and practising Catholics belonged to it, it was not that they shut their eyes to evil perpetrated, but because they did not see any harm in spreading what they considered to be wholesome ideas and honest sentiments. The secrecy, which aroused the suspicions of outsiders and of the authorities, gave a certain satisfaction to the cryptic instinct in the heart of every man, and to the wish to feel important. Many, in the want of mystical fervour and spiritual aspirations, contented themselves with symbolical surrogates, and those who sought a mysticism of none too pure alloy were often seeking to remedy the void left by the religious formalism of their upbringing; if they no longer believed in the mysteries of the Trinity and the Incarnation, they contented themselves with the fashionable deism and humanitarianism. To be able to communicate in secret gave them a sense of a kind of liberation from the vigilance of the political power, of the ecclesiastical power, of the Sorbonne, of the *parlements*, of the police. It was a slight evasion from a world of constraints into what seemed a world of liberty. Here were the obscure and subconscious motives which later would become transmuted into movements of rebellion and struggle.

§ 42.—The encyclopedist movement and the masonic conventicles did not belong only to France, nor did they come only from France. The flux and reflux of such ideas, tendencies, feelings, aspirations had a general origin in the two previous centuries of reforms and counter-

reforms, of wars of religion, hegemony, succession, of absolutisms and intolerance; their outcome in rationalism and naturalism marked historically the bankruptcy of the close union or confusion of religion with the monarchic power, of the Church with the State, under the sign of political conformism and systematic authoritarianism. Therefore from England to Germany, from Spain to Italy, from Austria to Poland, with degrees of difference and according to the special conditions of each country, we find in the XVIII century the same currents as in France.

The typical British representative of this period was David Hume (1711–55), philosopher, historian and economist, who spent some time in France, and travelled in Italy, Austria and elsewhere. His philosophy, a radical epistemology and a fundamental sensationalism, led him to establish sympathy or fellow-feeling as the principle of morals, and to find the basis of religion rather in feeling than in reason. It is curious that in his *Dialogues on Natural Religion*, published after his death, he represented himself not in *Demes* (the man of mystical religious feeling) but in *Cleonte*, who advocates a rationalistic deism, with a certain inclination towards *Filone*, who is now sceptic, now naturalistic. Hume was also an economist, a free-trader, and the forerunner of his celebrated friend Adam Smith (1723–90), whose *Theory of Moral Sentiments* (1759) was influenced by Hume's thought. For Smith moral feeling arises only when man lives in society, on a basis of instinctive sympathy; he rejects the theses of morality as enlightened selfishness or as reason but he does not deny the importance of reason in the development of the moral sentiment. Reason co-operates in the generalisation, not in the perception of good and evil. Thomas Reid, the leader of the Scottish school (1710–96), in attacking Hume's philosophy takes his stand on experience, both from the psychological and historical standpoints; but experience he often limited to the definitive field of facts, without an integration in a religious and ethical complex, which also could have been experimental.

These philosophical trends explain the decadence of the Anglican Church, the lack of any serious theological speculation, and the abandon into which the churches and public worship had fallen; yet the Church enjoyed the protection of the monarchy, the support of Parliament and

a privileged economic position. As a reaction, in 1729 a pietistic movement was started at Oxford by certain zealous students mainly inspired by Charles and John Wesley; through their anxiety to find a method of life they were known as Methodists. The groundwork of their religion they drew from experience and a devout and sentimental enthusiasm rather than from dogmas. They abounded in sermons and hymns. (Charles Wesley was their poet, and wrote over 6,000 hymns). The Methodists had their prophets and their convulsionaries, just as the Jansenists had in France at about the same time. They broke away from the Established Church, finding life in common with it impossible, and formed a church of their own; later they divided and subdivided into many other churches. Methodism spread widely in America. It gave its colour to Anglo-Saxon religious feeling of the XIX century. Another movement, that of the Evangelicals, grew up within the Church of England. In contrast to the liberal tendency, which reduced dogmas to symbols of natural truths, and simplified Christianity, reducing it to a natural religion, the Evangelicals sought a spiritual revival based on individual conversion to faith in the supernatural.

In Germany we find an analogous movement to that of the Methodists and Evangelicals in Pietism, which spread nearly everywhere and reacted against both the indifferentism of the official Protestant churches and against the rationalism and naturalism of the *Aufklaerung*, while it prepared the ground for the Catholicism of the Romantics. But the *Aufklaerung* was so widespread among men of culture that it allured the aristocracy, dragged the clergy in its wake, influenced the courts, and affected even the Catholics, who in that period had no outstanding personalities. This does not mean that resistance to the flood of the Enlightenment was wanting, just as it was not wanting in England or even in France, but opposition in the field of speculation and polemics was unequal to its task, while in the political field restrictive measures had often the reverse effect.

Christian Wolff (1678–1754) continued and popularised Leibniz; his clear, plain, systematic superficiality did more harm than good to his master. He was the first to write of philosophy in German, just as Thomasius was the first to write of law (it is to Wolff that German philosophy owes the formation of its terminology), and he divulgated

European speculation in Germany, becoming the most notable exponent of rationalism. He did not deny Christian theology; he wanted to explain it rationally by the Leibnizian principle of 'sufficient reason' (which in Wolff acquired a quasi-deterministic aspect), and by reducing the supernatural facts to natural symbols. The Halle Pietists raised the alarm, and when Wolff sang the praises of Confucius and of the purity of Confucian morality, a storm burst. Frederick-William I deprived him of his professorship and sent him away. Later, however, he recalled him to Halle, where he went on writing till his death.

It was not long before a reaction arose against Wolffian rationalism. The influence of British philosophy first, then that of Rousseau, sounded a recall to the problems of the individual and to the study of psychology and the appreciation of experience. Pietism, as a deviation from Lutheran dogmatism and a revival of religious feeling, might be considered a reflection of the psychologism that was becoming a philosophic theory. There was a recoil from Cartesian rationalism to experience of the concrete, but every experience implies a critical appraisement either of the instruments with which it is made or of the object experienced. Baumgarten in 1750 published his *Aesthetics*; the word would remain appropriated to the theory of beauty, in the philosophical and artistic vocabulary. He conceived aesthetics as an experience of obscure representations (lower cognitions) thus differing from logic which gives us the rules of clear perceptions (higher cognitions). His work was an index of the place that feeling was taking in philosophical speculation as 'a faculty of appraisement'—as Moses Mendelssohn defined it. Immanuel Kant (1724–1804) brought philosophical criticism to its highest point, and with it a reconsideration of all the positions of thought.

To outward appearances, and also in the conviction of many, religious and ethical problems were viewed in the light of a vague deism and Christianity was not an enemy to be overthrown, as it was for Voltaire and the French Encyclopedists, but an experience to be outgrown or an historical fact to be interpreted, or else a symbolical content to be deciphered. Therefore the naturalism of the Enlightenment, sensationalist psychologism and rationalist criticism led towards a kind of obscure and veiled pantheism, that rose from the depths of

the mystically inclined Germanic soul. Lessing (1729–81), with the idea that the effort to attain truth was the reason of human dynamism, established an activist principle in the insatiability of the mind and will. It was impossible for him to conceive of a personal and perfect God; he preferred a divinity in immanent relationship with the All and in perpetual motion towards an unattainable completeness. Wolfgang Goethe (1750–1832) based his Faust upon a duality: nature, infinite and eternal, man immortal but not eternal, immortal in his spiritual essence, not in his shape or matter. Nature is unconscious, man conscious; nature is serene, man disquieted by his will to be himself; nature is innocent, man subject to error. Hence an inward conflict that is ever renewed and which tends to an appeasement (salvation) in the dialectic of good and evil or else in the complete surrender of man to nature. Goethe's is a poetic and symbolical pantheism, which expressed no indifferent side of the German thought of the time, wavering as it was between a rationalism *à la* Wolff and an immanentism *à la* Lessing.

In Italy after the group of Southern philosophers of the late XVI century, Telesio, Bruno and Campanella, and after Galileo Galilei who opened a new era in science, it seemed as if the whole force of speculation, poetry and art of the Renaissance had been exhausted, leaving it to be represented only by the great architects, painters and sculptors of the baroque period and by the musicians who were taking the first place in the expression of Italian sentiment and culture. The Cartesian influence was felt; the writings of the jusnaturalists beyond the Alps were read, English philosophy penetrated, and Leibniz was known by a few intellectuals. Above all there was a diffusion of the scientific spirit, of practical experimentalism and of historical and philosophical research; while the study of canon law and Aristotelic philosophy maintained their sway intact in the schools, which were for the most part in the hands of ecclesiastics.

Giambattista Vico of Naples (1668–1744) had not an environment able to appreciate his genius or to understand his profound intuitions, which should have created a new philosophical current in Europe. He had the fate, common to many geniuses, of being rediscovered over half a century after his death; it is then that he begins to be understood (neither wholly nor correctly), and his theories find an environment

better prepared to receive them. He is anti-Cartesian. For him man does not acquire knowledge through 'simple and clear ideas', which may represent what is false just as much as what is true, but by becoming himself in a manner the cause of the fact into which the true is convertible. God knows things because He has the archetypal idea realised by His creative act. Man really knows what he makes (which is history) because he makes it. Man knows nature through what he is able to make or recreate of nature by his experience and activity. Man knows God through what he experiences of Divinity, either as historical consciousness (the common opinion of the human race) or as individual consciousness (we should call it to-day experience of the Divine), or as revelation (Primal, Hebrew, Christian). Vico, therefore, regards history not as a narration of facts and succession of dates but as a continuous creativity-cognition on the part of man. He does not consider the past (as the Encyclopedists would) as an accumulation of barbarities and superstitions to be overcome and forgotten, but as human wisdom itself clothed in facts, which may indeed be barbarous and superstitious. He does not conceive nature as a benign myth from which all good comes to man, but as an element of human conquest and creativity—we should say as a conditioning of the creative energy of man. Vico centres in the historical man the whole knowable and therefore conquerable universe, and only starting from this does he come to man's nature, his laws, his destination and transcendence.

From this focal centre Vico sheds beams of light on the whole trend of thought of his time, on philological history, on natural law, on the problem of natural religion and of revelation, on ethics and on politics. They are not always beams of light; both in his thought and in his style there are lacuna and opacities that leave the reader perplexed. In politics Vico tended to avoid any collision with the régime of his time, and to indulge a little in adulation, which in the reign of Charles of Bourbon corresponded to the paternalist and national euphory of the new independent kingdom of Naples. This notwithstanding, he did not fail to raise the problem of civil liberties and democratic systems, looking back to Greece and Rome.

Taken as a whole, Vico's speculation presented a potent aid for a vigorous reaction against the rationalistic abstractionism of Descartes,

the sentimental naturalism of Rousseau, and all the anti-historical current of the Encyclopedic Enlightenment—but only on condition that an arid, formalistic and Aristotelising scholasticism were set aside, with the development of a robust Platonising philosophy of history and a renovation of the old instruments of legal and political science. All this demanded not only time to mature but also sympathy; the camp of Italian Catholic scholars was too rhetorical, tending to wordy apologetics and held fast by the fear lest in abandoning the traditional positions of general culture, they might fall into theological errors. Therefore, not only was the appearance of the *Scienza Nuova* (1725) not well received, save for a few superficial praises, but the attacks on it came from ecclesiastics of a certain intellectual standing, and precisely from the point of view of Catholic tradition. It must be added that in this period a philosophy, even that of Vico, would not have sufficed to set Catholic thought on a sound course; what was needed was a bold spirit of practical reform in every field. From this the clergy shrank, finding themselves under the pressure of Jansenistic jurisdictionalism and 'enlightened' reformism. They were so bound up with the world of the past, under the sign of the Counter-Reformation, as to have almost lost the initiative demanded by the growing needs of the cultural and political life of the day.

The spiritual movements counterbalancing the naturalistic currents were limited in Italy to the sphere of popular education and piety, in an effort to revive the religious spirit in the countrysides and to charitable assistance and the training of youth. Among the apostles and saints who had a great influence in Italy we must note St. John Baptist De Rossi (1698–1764), known as the Vincent de Paul of Rome; St. Leonard of Porto Maurizio, a Franciscan (1677–1751), the preacher of popular missions; St. Paul of the Cross (1706–73), founder of the Congregation of Passionists, which rapidly spread among the people, winning high consideration. Above all the Neapolitan, St. Alphonse of Liguori (1695–1787), stands out as theologian, apostle, and founder of the Redemptorists. He gave a decisive formulation to the problem of Probabilism, raised casuistry out of the discredit into which it had fallen, and fought the Jansenistic rigorism that was diffused among the Southern clergy.

Jansenism in Italy, indeed, if it was a belated and imported phenomenon, found there a certain rigorism in a latent state and made this its fulcrum. The discussions over grace remained within the camp of the theologians (not all the clergy was composed of theologians), but rigorism found motives for development in the contrast between the rigorous Jansenists and certain literary and dandified abbots, ambitious and wordly monsignori of the Curia, a lax and inert aristocracy (such as Parini satirised in his *Giorno*), in a society devoid of generous impulses. Italian Jansenism, however, in so far as it expressed itself in writings and as an active force, was a reformist, jurisdictionalist and anti-Roman movement, represented particularly by the Bishop of Pistoia, Scipione de Ricci (1741–1827), and by the Abbot Pietro Tamburini of Pavia (1737–1827).

It was not in this direction that the Italian thought of the time could develop, but under the influence of the French Encyclopedists. Montesquieu, Voltaire and Rousseau were much read by cultured people and by scholars. The Marquis Cesare Beccaria (1738–1794) was strongly influenced by the *Lettres Persanes.* He and the brothers Pietro and Alessandro Verri published *Il Caffé* in Milan, a journal that supported civil reforms and spread the new ideas. As the protector of the prisoners, in contact with the machinery of criminal justice, he conceived his book *Dei Delitti e delle Pene* ('On Crimes and Punishments') in 1764, which had an extraordinary success. In a short time edition followed edition. Translated into French it was printed three times in two years (1764–66); Voltaire wrote a commentary to it. The English translation was published in 1768. The book is mainly a searching criticism of penal systems, on the ground of the inadequacy and uncertainty of evidence, the abuse of torture, the barbarity of penalties, and above all the death-penalty, which Beccaria judges unreasonable and useless. The principle on which he based his work was essentially naturalistic, that is that the social contract is founded on the aim of achieving the greatest happiness for the greatest number. He attacked the death penalty on the principle that no man by the social contract would have granted to other men, even as representing all the contractants, the faculty of depriving him of his life as a punishment, for this was in contradiction to the very nature of the social contract, which is 'the sum of tiny portions of the

private liberty of each'. But if this corresponded to the spirit of the XVIII century, the ethical substance of the book was superior to its formulation, and therefore remained as the starting point of modern penal law in all countries. If the death penalty, which up till then had been abused, came to be restricted to exceptional cases or wholly abolished, even though long after 1764, it is due to this first humane and enlightened outcry.

The naturalistic and reformist trend was not very widespread in Italy, but those who rose above the common mediocrity became its exponents and exerted an undisputed influence, like Filangeri and Romagnosi. Those who reawakened Italian poetry from its long sleep, the Abate Parini and Vittorio Alfieri, both of them by satire and Alfieri also in his tragedies, made humane feelings felt, with a disgust for moral servility and political servitude, and a sense of the necessity of moral and social reforms. At bottom, an old Italic stoicism united with the naturalism of the age, and the remoteness from Christian sources showed how deep a gulf was coming to separate the cultured element in Italy from the popular masses.

§ 43.—In order to meet a movement of thought and a wide and continuous propaganda against Christianity (which was identified, through error and *parti pris*, with the traditionalist positions, authoritarian and anti-reformist), the clergy called for secular intervention for the enforcement of the laws of repression. This was often forthcoming, where the breach of law was too apparent, or there was fear lest the new ideas should shake the throne, and when ecclesiastical influence or the advantage of clerical support to the secular authority created a closer bond between the two powers. But at other times it was not so; the complaints of the clergy remained without effect, and indeed the governments seemed allied with those who waged the most subtle war against the Church and her dogmas.

The State is not an abstraction; it is a resultant of the concrete forces of society. The State, in spite of its name, is not static but dynamic. It moves with the movements of ideas, feelings and interests in the country. Hence the oscillation which we note in the cultural, religious and reformist conflict of the XVIII century was due to the veering of

the blasts released by the two conceptions, the traditionalist and the naturalist—the one seeking to sustain established social positions and to identify itself with them, the other seeking to uproot such positions, and to depreciate Christianity itself. As disaffection towards the Church increased, especially in the Catholic countries, there was increased resentment against the exercise of ecclesiastical rights and authoritarian methods, and hence the desire to limit and check them, and to abolish those rights that were in conflict with the proposals for civil, economic and cultural reform. Reformism was conceived as the panacea for all ills. It must be recognised that there was a real need for reforms. Those who opposed them, in the name of a static society, made a dangerous confusion between what was truly Christian and what was an historical superstructure, to be renewed or destroyed.

In this period all the kings, even the less intelligent, were reformers more or less tinged with the Enlightenment. The most famous would remain Frederick the Great of Prussia (1712–86) and Joseph II of Austria (1741–90), called by the curialists the 'Sacristan King'. Ferdinand VI of Spain, too, passed for an enlightened prince, and came into conflict with the Inquisition itself, of which he was the political head. Charles III who succeeded him, and even Charles IV, who was more a despot and imbecile, had the same leanings. Louis XVI, certainly *malgré lui*, under the pressure of events and also of the Queen, Marie Antoinette, who came full of the ideas of the Court of Vienna, had to start his reign with reforms. He began by restoring life to the Parlements which his grandfather in 1771 had dissolved. His new minister, Turgot, carried forward economic and financial reforms, arousing the discontent of many, till he and Malesherbes were dismissed. In Austria Maria Theresa had begun the great reforms that were a prelude to the transformation of the feudal régime into an administrative State founded on public law. Joseph II her son followed, who first as co-ruler with her, then as Emperor, directed all his activity to the renewal of the machinery of the State, shaping it according to the prevailing theories in finance, economy, administration and civil and criminal law. We have already spoken of his rigid, invasive and excessive jurisdictionalism. He sought to place the State above any ecclesiastical influence and to control the Church as a branch of its administration.

The reform that in France, Austria and the Catholic countries in dependence on Vienna, stirred the different currents for a certain time, was the introduction of religious toleration. A century earlier it had stirred England, Holland, North America and Germany, only in the interest of the various Protestant churches, with the exclusion of the Catholics who had always remained either in conditions of legal and moral inferiority or else in situations that already were consolidated, for better or for worse as the case might be. In France the impulse came from the situation in which the Protestants now found themselves. A declaration by Louis XV, in May, 1724, laid down the principle of a presumption *juris et de jure* that they were all to be regarded as *new converts*. By this legal fiction any act of Protestant worship was to be punished as the crime of apostasy. No one might contract marriage save before the Catholic priest; unions made without the Catholic rite were considered as concubinage, the children were registered as bastards and had to receive Catholic baptism, and legal inheritance was not recognised where they were concerned. The Protestant pastors continued to bless marriages in secret; such unions were known as '*marriages du désert*'. The moral and civil effects of such a state of things for about a million inhabitants were extremely serious.

To-day it seems astonishing that ministers and bishops could be unaware of the social harm produced by the declaration of Louis XV. In 1750, on the contrary, it was believed that to increase the penalties against the unfortunate Protestants would remedy the evil. What a chance for a campaign in the name of Natural Law! Montesquieu, as a pragmatist, confined himself to saying that such penalties were quite useless and ineffectual; he believed it a wise law that a government, if it could choose between admitting or not a new religion into the realm, should decide in the negative, but that if the religion was already established there, it should be granted toleration. Rousseau, on the contrary, starting from Natural Law, advocated complete freedom where religion was concerned. In the controversy that was aroused many intervened for and against toleration. Turgot, Voltaire, Marmontel, d'Holbach, Condorcet had greater effect than the Bishop of Agen and l'Abbé de Concirac and others of the traditional Catholic party whose names are forgotten. The trials of Calas and Sirven (to which we

have already referred) served to rouse the interest of the public at large in the problem of toleration. The question of marriages was, by order of Louis XV, examined by the Council of State and by certain bishops, but without result. The Parlements before their dissolution in dealing with similar questions were inclined to be liberal. The movement for toleration went forward with fresh vigour in the new reign of Louis XVI.

The last uncertainties and hesitations in France would not have been overcome had not Joseph II promulgated his *Toleranz-Patent* of October, 1781, for Austria, and another, the following November, for Transylvania, besides extending these measures to Flanders and Lombardy. In May, 1782, Louis XVI decreed that the children of Protestants should no longer be registered as bastards, and finally, in November, 1787, he caused the promulgation of the *King's Edict concerning those who do not profess the Catholic Religion*, which regulated the civil position of the Protestants. In spite of the resentment both of the Catholics and of the Protestants themselves (who had not obtained as much as they hoped), the Parlement of Paris and then the other Parlements registered the edict, but by that time it was already the eve of the Revolution.

The patent of toleration issued by Joseph II was wider in scope than that of Louis XVI. In Austria it met with much favour and small opposition; the same in Lombardy and in the other countries subject to the Hapsburgs, save in Flanders. Here opposition was so strong that Leopold, who succeeded Joseph, in 1792 had to withdraw the Patent; it was only for a short time, for the French arrived, bringing the revolution. In Rome there was a sense of the approaching storm, but the reformist movement was often confused with that of jurisdictionalism, and the moral and social questions raised by the first were translated into legal terms. Pius VI, faced by the two-fold action of Joseph II—on the one hand reforms touching the traditional rights of the Church and introducing religious toleration, on the other a jurisdictionalism placing the domestic organisation of the Church herself and her apostolic and sacramentary activity under complete State control—decided in 1782 to make a journey to Vienna to persuade the Emperor to go back on his steps. The poet Vincenzo Monti celebrated this in his *Il Pellegrino Apostolico*, but the journey had no serious result.

The movement towards toleration in the Catholic countries had not grown up out of a religious conception, as was partly the case in the Protestant countries, but solely through the development of the jusnaturalist ideas. In the decree of Louis XVI it was stated that the concession to the non-Catholic was '*ce que le droit naturel ne nous permet pas de lui refuser*'. These ideas had been working in the previous century in Holland, England and Germany, though mingled with religious theories, which are not wanting in either Grotius or Hobbes or Pufendorf; but in the France of the end of the XVIII century the course was set towards the break-up of the confessional State, and hence natural law appeared not as allied to the Christian churches but as an adversary and as a competitor. In Austria, on the contrary, with the prevalence of the Germanic currents of jusnaturalism, and, among the clergy, of the theories of Febronius and van Espen, the State remained confessional even while anti-curial.

However, while the Catholic countries were now conceding toleration to their old adversaries, the Protestants of England and Holland still maintained the civil and religious disabilities of Catholics. In Ireland, which only in 1782 after agitations and revolts succeeded in vindicating the independence of her parliament (though the executive power remained subordinate to Westminster), Catholics were excluded even from the franchise. This was conceded to them in 1793 under the influence of the French Revolution. Only in Prussia, Frederick the Great from the beginning of his reign was inspired by the ideas of the Enlightenment to accord complete religious toleration. In a decree of June 15, 1740, authorising the Italian Catholic Antonio Rumi to accept the property left him by his brother in Frankfurt-on-Oder, Frederick wrote: 'All religions are equal and good in so far as those who profess them are honest men, and if the Turks and pagans came and wanted to populate the country, we should be ready to build their mosques and temples.' According to Frederick, the State should see that the various religions and sects 'lived in peace and worked together and in equal measure for the good of the State.' Thus he acted towards the Catholics in Berlin in 1746, allowing them to build churches and giving them the necessary ground; and, as we have noted, he showed good-will even to the persecuted Jesuits. When he conquered Silesia he

left the Catholic religion as the prevailing one and granted toleration to the Protestants. It was, however, his successor Frederick-William II who, in imitation of Joseph II and of Louis XVI, by a decree of 1788 known as the *Religious Edict of Woellner*, established toleration in all his States, placing the various Christian religions on a footing of equality, and at the same time maintaining the privileges of the various churches. Apart from this, Frederick the Great was a forerunner of the modern State. Although his conception was that of an absolute paternalism, yet his reformism outstripped that of the other States, both from the administrative and judicial and from the religious and military standpoints.

In spite of the obvious resistance of the absolutist tradition and of its ties with the Christian churches, the political conception was little by little moving towards a broad constitutionalism, and already the first signs of the new democracies were making their appearance. The influence of English parliamentarism had been notable from the time men began to write about it, in France and elsewhere. Although there was no thought of drawing from it a motive for practical imitation, yet there was a confused yearning for the ideal, from the day that the divine right of kings ceased to awaken echoes in the common mind, and was merely left in the hands of the jurisdictionalists as a useful weapon in their disputes with the Roman Curia. Hobbes' absolutism, too, ceased to carry weight, once nature was no longer conceived as savage and bestial, but as good, idyllic and happy. The individualistic conception of Locke, the organic conception of Thomasius, the personalistic conception of Pufendorf held more significance, only they lacked a reformistic aim that would go beyond theoretical constructions and be practically concerned with individual rights and the limits of power.

Montesquieu was the first to define the separation of the three powers, legislative, judicial and executive, and although he does not harmonise them in a unifying element which, without invading their spheres or confusing them, would provide a synthesis into which they would resolve, he none the less represented an immense advance, both in regard to the technical principles and to the characteristics of the modern State. What is wanted, he says, is the elimination of the arbi-

trary factor in the concept of power. This is less present in the actual making of laws, because the legislator considers general cases, the customs and interests of the community for the future, and he establishes the requisite norms. But there will be other organs to execute the laws they have not made and cannot make, and these—that which applies the law, as administration and police, and the other, independent likewise, which gives justice between private individuals and assigns penalties for crime—become ministers of the law, subject to the law and not above the law.

The separation and independence of the three powers is the firm basis of the State *de droit*, a basis that up till then had been established only theoretically, as a metaphysical problem, in the study of the origin of power from the people, in the definition of individual rights and in enquiry into the nature of such rights. But so long as these speculations had not found a form of concrete expression, they remained as fluctuant factors even in countries where a parliamentary tradition existed. It was necessary not only to temper monarchic absolutism (for at that time no one in France, Austria or Spain thought of a republic) by a participation of the electoral bodies in political power, but it was necessary to create the inner logic of the State *de droit*, by which law would be sovereign, rights respected, the individual able to vindicate his rights, and no one would be able to assume arbitrary power without encountering a legal obstacle. Montesquieu's theory presented itself as a mechanism for establishing a balance on a plane of rights; therefore it could not fail to be alluring.

Immediately the problem of the synthesis of the three powers presented itself. Montesquieu did not succeed in solving it, for he did not solve the problem of sovereignty. The monarch must derive it either from God or from the people. An historical investiture is not enough; it has a pragmatistic but no theoretical basis, and thus is relative but not absolute. If the law is the custom and this, albeit relative to times and places, is expressed by the consent of the many, it is necessary to go to the many (that is, to the people) to find the law in their will. The sovereign people will be the new synthesis of the State *de droit*. The theorist of popular sovereignty was Rousseau. For him power, all the power, indivisible, inalienable, permanent, is in the sum of the wills of

the individuals. It may be expressed through a common decision by the majority of individuals; it can never be delegated either to monarchs or to parliaments. Rousseau's *Contrat Social* (1762) was like a violent blow given to a pendulum, driving it to the extreme opposite point before it can return to its central and balanced oscillation.

The technical aspect of power in the *Contrat Social* cannot stand the test of experience, while that of Montesquieu was ideal and practical at the same time. But Rousseau provided a new absolute basis which in Montesquieu was lacking. Rousseau's style of popular sovereignty presupposed the goodness of nature and the free contract between men to live in society. The collective will being good and indivisible knows no limits to its power and is of itself intrinsically ethical. It becomes contractually legal, inasmuch as everyone has of himself entered into an obligation through the collective will. With this solid bloc the separation of powers became a technical question, as did that of delegation of powers which, denied in Rousseau's rigid conception, was felt to be a means of reconciling the principle with its practical actuation.

The churchmen and traditionalist Catholics did not perceive that with Rousseau, albeit in distorted and degenerate form, the old popular and contractual theory of society was returning, which had been upheld in the Middle Ages and the Renaissance, and which certain curialists still repeated, simply as the metaphysics of power, in their polemics with the regalists who put forward the divine right. Such Catholics, both then and up to our own times, opposed Rousseau's contractual theory because they confused it with his theoretical premises—the goodness of nature, which denied Original Sin; the absolute quality of the popular will, which denied objective ethical limits; the inalienability of power, which denied not only delegation but also the stability of sovereignty and of social institutions; the popular origin of power conceived as the antithesis of the derivation of power from God. Rousseau's theory corresponded to the naturalistic current of the XVIII century, to the struggle against the absolutism of the kings and against the Church, against the political, economic, religious and feudal bond-systems of the time. The fulcrum of the struggle and of the reforms was in the people, to which was attributed not an original

sovereignty given only to be lost at once, according to Hobbes' conception, nor a kind of historical title of original sovereignty hard of realisation, according to that of the Counter-Reformation theologians, but a power actual, permanent, complete. At the time when the conception of the State was taking this course, the Church was fettered by jurisdictionalism, shaken by the Jesuit question, impoverished in men of thought and culture able to face the currents of the Enlightenment in every country.

PART III

THE SECULAR STATE AND THE CHURCH

CHAPTER XI

FROM THE FRENCH REVOLUTION TO THE HOLY ALLIANCE

§ 44.—With the recognition of the independence of the United States of America, by the Treaty of Paris of September 3, 1783, with the federal constitution of 1787 and finally, in 1789, with the nomination of George Washington as first President, the republican system reappeared among the great States, as representative government of the people without a monarch. After the fall of the Roman Republic and the inauguration of the Empire by Augustus, the monarchic principle had triumphed throughout the world. The medieval republics were of a civic character. Only the maritime cities rose to a state of military and commercial power—Venice, indeed, acquiring territory on the mainland and maintaining a closed and aristocratic system of government, for over six centuries was a first-class Power. Republican Florence had an exceptional grandeur between the Middle Ages and the Renaissance; politically and economically she outstripped the greatest kingdoms and held her own against popes and emperors, but the Republic several times collapsed and returned to life, perpetually undermined by internal strife and foreign wars.

The history of the Middle Ages and of the Italian Renaissance had no hold on the minds of the bourgeois, merchants and intellectuals of XVIII-century Europe; Rome and Greece meant more to them. For the Anglo-Saxon peoples the idea of parliament and of the free citizen took primacy over the monarchic tradition, which in regard to the House of Hanover might be considered almost meaningless. The American colonies were very far away from Great Britain, they liked their own methods and their liberties, and would not suffer the interference of London in their affairs. During the Seven Years' War they had become conscious of their military and political potentialities,

which before that experience they were not aware that they possessed. The revolution and the War of Independence—helped by France, Spain and Holland, the traditional enemies of Great Britain—created a new political reality, the United States of America.

Towards the end of the XVIII century the conception of monarchy by divine right had had its day. Jusnaturalism had given it its death-blow; it subsisted only as a popular tradition, as a religious rite, as a legal title. In Great Britain the parliament shared in the monarchic sovereignty and this diarchy, if on the one hand it had subdued any pretensions to divine right after the Stuart fashion, on the other had immunised the monarchy from the corrosion of power. The creation of the transatlantic Republic therefore did not shake the British monarchy, but struck a mortal blow at the absolute sovereignties of Europe. Their right was challenged by that of the people to create their own régime, to give themselves a constitution, to appoint their own head.

The Declaration of Independence and of Rights, made by the Congress of Philadelphia in July, 1776, precedes by thirteen years the *Declaration of the Rights of Man and of the Citizen*, by the National Assembly in Paris, August, 1789. Both documents throw into relief certain jusnaturalist principles that were then everywhere diffused—the civil and political equality of men, their inalienable natural rights, independence and original liberty, the power or sovereignty of the people, direct or representative. All that had been maturing in this regard, for over a century, by both declarations was brought down, from the theoretical plane of university schools and debates between intellectuals, to the practical plane of political assemblies.

The differences between the two declarations sprang from the historical data which shaped the premises of their all but abstract formulas and from the practical aims they sought to achieve. The American Congress sought the liberation of a people from subjection to another, and accomplished the first act of colonial emancipation. The French Assembly sought to abrogate the feudal and political rights of the monarchy and of the privileged classes (nobility and clergy) and created the first public title of the Third Estate to emancipation. In America the republic was sought simply as a means of liberation

from Europe. In France at that moment what was sought was to reduce the monarchy to a mere organ of the nation.

From the religious standpoint, the Americans for nearly a century had enjoyed the English régime of toleration established in 1689; only Catholics were treated as citizens and subjects of a lower order and often as undesirable. But at the moment of revolution the confessional distinction was swallowed up in the need for union in resistance and struggle. In France, on the other hand, the religious problem embraced many other problems, spiritual, political and economic. Between the Christian conception—whether Catholic or Protestant—and the naturalistic and rationalist conception there was a spiritual and historical antithesis, which in America was not felt at all. If in the Declaration of the Rights of Man there is only the faint reflection in Art. 10: 'No one must be molested for his opinions, even religious opinions, so long as their manifestation does not disturb the public order established by the laws', yet, in a short time, the religious problem, together with the monarchic problem, would become the most important for the French Revolution. Behind the monarchy were the feudal privileges, behind the clergy was mortmain property, behind both the authoritarian and intolerant system. Therefore very soon the French Revolution becomes anti-monarchic and anti-Catholic.

In every revolution the party that promotes it identifies itself with the nation. The Third Estate, treated by the other two like a poor relation, by a series of small events—they became significant through the spirit of reform, which was blowing from every side, and through the ebullition of the masses—succeeded in taking all initiative from the nobility and clergy as 'Estates' and spoke in the name of the nation. In a first phase the bourgeoisie, backed by the parish clergy, put the nobility and upper clergy in a minority, gave check to the king and asserted its authority over the turbulent mobs. This political success sufficed to create a propitious atmosphere for the abolition of feudal dues, with or without compensation as the case might be, and of the church tithes, at first declared redeemable, then suppressed without indemnity. Shortly after came the confiscation of all the property of the Church of France, with the formula that it was placed '*à la disposition de la nation*'. In compensation, Church expenses were set to the

charge of the State budget. With the sale of the Church and Crown property, and with the liberation of lands subject to feudal dues, a mass of landed proprietors was formed, bound by stable and permanent interests to the revolution and to the régimes to which it gave rise. The new liberal class was created, reinforcing at the same time the old elements of the mercantile bourgeoisie and giving an impulse to industrial development.

It was necessary to bind the clergy, too, to the new régime. Though they had voted its laws, they could not be counted on, both because they were divided by various currents and because at bottom they were monarchic and reactionary. The suspension of solemn vows had restored their freedom to those religious who wished to become secularised (and they were not a few); the others were gathered together in a certain number of monasteries in order to leave the rest free for sale. The clergy did not resist this onslaught, which infringed the traditional laws of the Church; they were carried off their feet by revolutionary pressure and national feeling. It did not even occur to them that the Holy See might have a right to a say in the matter, for Gallican theories were still operative. The population did not see anything anti-religious in such measures. Nobles and clerics became purchasers of church property without remorse of conscience. There was no serious resistance to the laws on the religious Orders, on the part of the representatives of the Church, partly because of an unconcealed antipathy of the secular clergy towards the regular. The suppression of church property had the political consequence of depriving the Estate of the clergy of its basis and *raison d'être*, just as the abolition of feudal dues had so deprived the Estate of the nobles. The class revolution had already been accomplished.

The political position had fallen; there remained the ecclesiastical position in regard to relations with the 'nation': on the one hand, a State clergy, the budget for religious purposes on the other. The idea came within the criteria of the Gallican Church. It was a logical step for those legists who attributed the totality of powers to the State, but not for those who professed the universality of the Church. On the one hand, the Jansenist current prevailed, which still nurtured resentment against Rome for the unforgotten bull *Unigenitus*, and on the other, the

heirs of the Encyclopedists, who expressed themselves as Mirabeau: '*Il faut décatholiciser la France.*' The bishops, placed in conditions of inferiority, could do nothing against the *Comité Ecclésiastique* of the National Assembly which was entrusted with drawing up the 'new charter of the clergy'. By this Civil Constitution of the Clergy (July–November, 1790), not only were the dioceses reduced by an act of authority, without the Pope's consent, to correspond to the civil *départements*—with the two-fold aim of administrative centralisation and financial economy—but it was established that bishops and parish priests should be elected like the deputies and officials (decree of December, 1789), as corresponding to the new system; this had the absurd effect that Protestants and Jews were among the electors of the Catholic bishops. The bishop-elect, if the metropolitan and the other bishops of the province refused to accept him as unsuitable, had the right to appeal *ab abusu* to the tribunal of the Department, which would judge the motives of the refusal. To subject the upper clergy to the electorate meant separation from the monarchy and nobility; to place it under State control meant separation from Rome; the only concession was to communicate the appointment to the Pope as 'visible head of the universal Church in witness to the unity or the faith'.

The bishops at first refused to discuss the project and proposed the summoning of a national council. When this proposal was rejected, opinions remained divided. The King, on the advice of the bishops themselves, signed the Assembly's decree and begged the Pope not to condemn it; the papal Nuncio, too, was of the King's opinion. But among the bishops who were deputies in the Constituent Assembly the opposite view prevailed. Thirty of them in October, 1790, published an *Exposition des principes sur la Constitution du clergé*, to which all the others except four assented, denouncing the points contrary to Catholic doctrine. To this act, the Assembly replied by making it compulsory for bishops and priests, as State functionaries, to swear allegiance to the Constitution. The King hesitated, but ended by signing the new decree. The clergy speedily split into jurors and non-jurors. In March, 1791, Pius VI condemned the Civil Constitution of the Clergy, declaring it schismatic and heretical, and making it obligatory on the jurors to retract within forty days, under pain of suspension *a divinis*. The

orthodox clergy rallied round the Pope, the constitutional clergy round the State. From April, 1791, till the Napoleonic Concordat, for ten years, the Church of France was officially schismatic. But the greater part of the clergy remained in orthodoxy, taking the road of exile, going into hiding, ministering to the faithful at the cost of innumerable perils, facing imprisonment and death in thousands.

The persecuting phase of the French Revolution, if it is to be understood, must be seen within the frame of events. These are too well known for it to be necessary to treat of them here. The fear of a return to the past and hence of losing the benefits of the abolition of feudal dues and tithes, and of the liquidation of Church property, bound the bourgeoisie and a part of the country nobility to the Revolution. This fear was rendered sharper by the rumours of an armed offensive to restore order by the nobles who had fled to foreign Courts. Such rumours had an appearance of truth; the German princes possessed of feudal rights in Alsace, basing themselves on the Treaty of Ryswick, demanded the intervention of the guarantors, Austria, Russia and Sweden; while Louis XVI had turned towards Vienna and Marie Antoinette was urgently begging her imperial brother for help.

To-day historians can ascertain the facts and, up to a certain point, give them their true value. But in the white-hot atmosphere of the Revolution, in the midst of suspicions, ambitions, angers and hatreds, it was, if not impossible, very difficult to discern truth from falsehood. The Pope's condemnation, coinciding with the question of the Comté de Venaissin and Avignon, the resistance of the clergy to the second oath imposed on all, the refusals of the King to sign new laws combined with the efforts to ally the Powers against revolutionary France and to subdue her by force of arms. In the meantime all were manoeuvring for the outbreak of war, each thinking, after his fashion, that war would cut the knots which the Revolution had tied so inexorably about the court, the *émigrés*, the parties and the men who worked through them. Even a part of the clergy looked to war for salvation, for them salvation meant a return to the past.

In spite of the ill-advised manoeuvres of the courts and those of the *émigrés*, war would not have broken out had not the revolutionaries of Paris wanted it, and had it not been for the death of the prudent

Emperor, Leopold of Hapsburg. To the French ultimatum of March, 1792, Vienna sent a very firm reply (the young Francis II had just ascended the throne): they must restore the imperial princes to their rights in Alsace, give satisfaction to the Pope for the occupation of Avignon, reorganise the Government so as to avoid dangers of disorder in neighbouring States. Louis XVI on April 20 proposed war on Austria. The mob was delirious and only seven Deputies had the courage to vote against it. But for the allies, Austria, Prussia, Piedmont, war was rendered difficult both by the lack of true political objectives, and by the intrigues of Catherine of Russia and Frederick-William of Prussia over Poland, intrigues which Vienna sought in vain to thwart. Thus France had time to reorganise her armies as best she could, and to countermine the manoeuvres carried on by Court and nobles under cover of the war. This drove the monarchy towards ruin and the country towards the Terror.

Thus arose the French Republic, historically the First Republic. The word *republic* was not then understood precisely as the government of a people without a King, but more as a mixed government, independently of the form it might take, with the participation of the various citizen orders. Jean Bodin towards the end of the XVI century had written his *Libri sex de Republica*. The revolutionaries in order to avoid ambiguity did not say that they wanted to establish a republic; not one of the orators of the Convention of September 21 pronounced the word. They demanded the 'abolition of the monarchy', they said they wanted 'the nation without a king', or else 'the sovereign nation'. The word *republic* was imposed by the people, which likes clear ideas and precise formulas. With the abolition of the monarchy, decreed by the Convention, the new form of popular republican government arose in Europe, on the eve of the fall of Venice, the senile aristocratic republic, by this time without strength or ideals or life.

§ 45.—The experience of the French Revolution in regard to the problems of State and Church and their interference, may be considered in relation purely to the revolutionary period, or in a wider sense in relation to modern times up till our own day. The first aspect interests us only in order to define the motives that inserted themselves

into the historical process, and to bring out their connection with the past. Just as Humanism was not a breach with the Middle Ages but their historical outcome, so the Revolution was the historical outcome of the *ancien régime* rather than a breach with it. All agree that the accumulation of economic crises, due to the enormous inequalities of property, a fettered commerce, the extension of mortmain, the burden of feudal dues that still survived, the continual wars, had brought a sharper sense of the moral and political crises. Rationalism and jusnaturalism had placed the moral conception of life and the political conception of the State on a new basis. Catholicism as a dogmatico-ethical system was undermined by Jansenism, as hierarchic discipline by Gallicanism, as a canonical system by jurisdictionalism. The Revolution like a whirlwind shattered the frail equilibrium of the old social structure. From the overthrow of the established orders, the assured economies, the traditional theories, there emerged certain elements which, denied in principle or in practice, survived the injustices, revolts, wars, slaughters, horrors of an unprecedented ten years.

The Church passed through three stages: that of the official cults (1789–95), that of separation (1793–1801), that of the Concordat (1801–14). In all three phases there were persecutions against the clergy as refractory, or non-patriot, or non-imperial. In all three phases the popes had their share—the occupation of Avignon and Rome, the imprisonment of Pius VI at Valence, of Pius VII at Savona. Schism was no novelty for the Church, nor was persecution of the clergy, nor the occupation of Avignon and Rome, nor the exile and imprisonment of popes. Nor was there novelty in the affirmation of a national church and the decrees on the Constitution of the Clergy, which were in the Gallican tradition, from the Pragmatic Sanction onwards. What was new for the Church was the laicization of the power of the State.

Jusnaturalism had separated, in principle, the idea of State from the idea of Church. Jurisdictionalism maintained them united, State and Church, in a traditional monarchy of sacred character. The Revolution first reduced the King to a functionary of the nation, then eliminated him. No more would there be that 'external bishop' of the Church, forming the bridge between the spiritual and secular powers. The ecclesiastical rights of the Catholic monarchies, whether they were

privileges granted by the Church, as the curialists held, or whether they originated with the royal power, as the regalists maintained, could not be vested in a voluble and factious popular assembly, in which believer and unbeliever, Catholic, Protestant and Jew had the same rights—in which often the miscreant, the man of passion and blood, a Danton or a Robespierre, prevailed over all the rest.

On the other hand, these assemblies, made and unmade under the pressure of the revolutionary movement, were all founded on the conception of natural equality—no more privileges, only rights, all coming from the People and from its will as interpreting Nature. The practical triumph of the theory of popular sovereignty and the fall of the monarchy carried the foundations of the State on to a new plane; the laicizing of the political power was inherent in the new conception of the State, and would have come about even if the persecutions and massacres had been averted. This did not mean that the French people meant to break away from the Christian religion or that even the leaders of the revolution meant to create a State without religion. There was a quest for a religious arrangement corresponding to the new conception of the State. This arrangement was the Civil Constitution of the Clergy, which could not become final through the papal condemnation and the struggles of the refractory clergy. The two episodes of the cult of the Goddess Reason and the cult of the Supreme Being, to be substituted for the Christian religion as the official worship of the nation, were historically ephemeral and were inset in the struggle with Roman Catholicism, which was resisting. They had no other meaning than that of the quest for a religious symbol to represent in a period of passion the novelty of a political State founded on nature. The Goddess Reason and the Supreme Being were the symbols of the laicization of power; the symbols collapsed at once, but laicization remained, for it was part of the logic of the new experiment.

The successive phases of the struggle between State and Church, first separation then the Concordat, confirmed its advent. Separation, from 1793 to 1801, was an expedient. The surrogate religions had collapsed, the position of the sworn clergy was rendered difficult by the passive resistance of the faithful; there was a desire to find some way out of the *impasse*, and separation seemed the best path. It was not.

The measures of protection for the sworn clergy and the persecutions of adversaries at once mark a return of interference by the State, which in the midst of so many difficulties found it hard to cope with the continual recrudescence of religious questions. As events tend towards the Directorate, and at last a firm hand is felt at the helm, the idea of a concordat awakens. But a concordat with whom? No longer with 'the Catholic nation', as those of 1418 made by Martin V; no longer with 'the Catholic sovereign', like that between Leo X and Francis I of France.

The laicization of the sovereign power meant the end of the confessional State, even though the State continued to claim jurisdictionalist rights over the Catholic Church. Here is the second novelty produced by the Revolution in relations between Church and State. We have already referred to the second phase of jurisdictionalism which in the XVIII century made the State tend to disengage itself from the Church, while accentuating its control. This disengagement showed itself in two ways: in religious toleration, though with the maintenance of a State religion, and in the laic character given to legislative reforms. The Revolution (after the attempts at official religions) went a step further. It abolished State religion and the remains of canonical legislation, making its own Civil Code. But if the confessional State vanished, jurisdictionalism survived as the intervention and control of the secular power in the Church, under the guise of police supervision.

From the point of view of the Catholic Church, the Revolution had two great effects. First, the liquidation of Gallicanism, which was bound up with the monarchy and the *ancien régime*. Once the scaffolding of the Estates had collapsed, and with it the economic basis represented by church property, only the episcopalist conception of the Church remained. But this (and here is the second effect) received a grave blow both from the fact that the bishops rallied to the Pope to defend the Church of France during the revolutionary persecutions and the schism of the sworn clergy, and from the necessity of a concordat between Paris and Rome. The most serious blow to Gallican Episcopalism came from Pius VII, when in execution of the concordat he obliged the legitimate bishops to resign, and, in the event of refusal, held them as deposed *ex officio*. The episcopalist theory would no

longer have a basis. Gallicanism and Episcopalism would persist in France for some time yet, but as incoherent elements of outworn theories, while henceforth there would be a development of Ultramontanism and papalism.

What we have been saying might be challenged in the name of various passages in the Concordat, but the letter counts for little when the spirit has fled. The expressions of the preamble, that 'the Government of the French Republic recognises that the Catholic, apostolic and Roman religion is the religion of the great majority of the French', justifies the concordat but does not re-establish a State religion. The other phrase in the preamble, that the Catholic religion may expect the greatest good from the restoration of public worship and 'from the particular profession of it by the consuls of the Republic—*de la profession particulière qu'en font les consuls de la République*'—does not mean that the power of the consuls was not a laic power, simply because the Pope recognised that the actual consuls were Catholics (as they certainly were by baptism), especially since the same Concordat in Art. 17 provides for the case of a First Consul who might not be Catholic.

On the other hand, we must not believe that the Gallican Church was restored because in Art. 4 it is said that the canonical institution of the bishops would be made 'according to the forms established in regard to France before the change of government'. The whole structural basis of the State had changed and the Holy See by Art. 13 acquiesced in the abolition of church property, undertaking not to disturb the consciences of those who had purchased it or their heirs and assigns. Bishops, parish priests, and other clergy ceased to constitute an economico-political order, and became functionaries of the State, paid out of public funds, subject to the discipline of the new system. This system became harsh under Napoleon. To counterbalance bureaucratic and police interference the only resource was to lean on Rome, and through the influence of Rome to regain a lost personality. The other bishops and priests who, remembering the old monarchy or still imbued with Gallicanism, put themselves at the service of the autocrat, suffered all the consequent humiliations.

The Napoleonic Concordat was the first of modern type between Rome and a laicised State, on a jurisdictionalist basis and in con-

tractual form. It was natural that the Pope (and many with him) should think that this was a first step towards a return to the old system. This the Restoration seemed to confirm, but it was an illusion. The concessions made by Pius VII to Napoleon and the measures wrung from the Pope by force and trickery showed instead how no other idea than political policy had inspired the framing and actuation of the Concordat. The 'Organic Articles' annexed to it were framed in order to re-establish the rights of the absolute kings over the Gallican Church—such as (among the best known) the 'verification' of the acts of the Holy See and of the decrees of Councils; the prohibition to bishops to gather together in councils or leave their dioceses, even to go to Rome, without government authorisation; the revival of appeals *ab abusu*, to be settled by the Council of State; the obligation laid upon seminary professors to subscribe to the Four Gallican Articles of 1682, and similar measures. Here was a rebirth of Gallicanism out of season. Pius VII protested against Bonaparte's duplicity, then tried diplomatic ways, but he obtained nothing.

On becoming Emperor, Napoleon wanted to use the Church to consolidate his personal power, employing promises and intimidation. Fearing lest the name *Pères de la Foi* covered the fathers of the disbanded Company of Jesus, he prohibited them, and the same with any other non-authorised religious association. To these, criminal proceedings gave the character of unlawful associations. In the meantime, he sought to lure the Pope to Paris. To make of him an instrument of the Empire, to confront the courts and peoples of Europe with the moral support of the first religious authority of the world, was an idea not to be despised, even by Napoleon. Pius VII after many hesitations agreed to come to Paris in the hope of obtaining the withdrawal or modification of the Organic Articles, of the decree against religious congregations, and of the recognition of divorce in the Civil Code. But he obtained nothing. Having crowned the Emperor in Notre-Dame, he himself only with great difficulty was able to leave Paris after a five months' stay which might be considered a gilded imprisonment. Government control over the Church of France and of the other countries annexed to the Empire became ever stronger, and reached the pitch of a systematic and legalised persecution and at the

same time a domination of the church schools, clergy and parishes. In the official catechism for French Catholics we find the following question and answer: 'What do we owe to our Emperor? We owe to Napoleon love, respect, obedience, military service. To honour and serve our Emperor is to honour and serve God Himself.'

Rupture with the Holy See was inevitable. It came about over a political event, the anti-English blockade. Pius VII refused to follow out the orders that in January, 1806, Napoleon sent him from Munich, in his quality of 'Protector of the Holy See and Emperor'. Napoleon, crowned Emperor by the Pope, had adopted the Carolingian title of Protector of the Holy See, but he was not the stuff Christians are made of and to his Empire the faith of the IX century was wanting. His might be considered a laic-Gallican Empire. Nor, for his part, did Pius VII believe that by lending himself to the coronation he was restoring Christendom and making of Napoleon the Charlemagne of the XIX century. That improvised and ephemeral empire (though this could not then have been foreseen) was based on the principles of the Revolution, already propagated throughout Europe and rendered actual by the French victories. Glory and the dictatorship of arms gave Napoleon a personal international power, which he turned to his own advantage just as he wanted to turn to his advantage the power of the Church.

If Pius VII lent himself to the religious act of coronation of one who, according to the theories of the Curia, must be regarded as the usurper of the throne of France and of other thrones, he did so to avoid greater evils which, it was feared, would follow a refusal. Also, perhaps, because many were then grateful to Napoleon for having put an end to the bloody anarchy of the dominion of the Assemblies and for ending the schism by making the Concordat. At a distance of time we may say that Pius VII was weak, but in a period when the world trembled before Napoleon and the clergy of France showed, by continued adulation and complete subjection, that it had lost the courage of the days of the Revolution, the oscillations, hesitancies, weaknesses and discouragements of Pius VII are understandable. He partially redeemed his act in crowning Napoleon, both by his resistance to him over the anti-English blockade, when he would not drag the Holy

See into war, and also when, after the annexation of the Papal State to the Empire, he replied by excommunication. Napoleon laughed at the excommunication, made the Pope prisoner, continued to harass the Church, and, posing as religious head, himself directed church committees and councils, obtained the annullment of his marriage from a diocesan church court—thus avoiding judgment by the Holy See—wrung consent to his proposals from the imprisoned Pope and obtained additions to the Concordat. When he understood that the Pope repented of this and would withdraw his consent, as he actually did in refusing to ratify the new text, Napoleon promulgated it and brought it into force by his own authority. Pius VII, his moment of weakness past, continued his resistance, declaring the nominations made by the metropolitans to be null and void, the bishops appointed intruded and the bishops who consecrated them schismatic. Events were precipitated: the Pope returned to his States when Napoleon abdicated at Fontainebleau.

These historically tragic events would not be unlike others in the Middle Ages if there had been the same faith and if the Napoleonic Empire had had something of the religious character of the Holy Roman Empire of other days. But this new Empire, (apart from its caducity, through the lack of a solid structure and tradition), was purely military and personal and could not assume the character either of that of Charlemagne or of Louis XIV. Napoleon falsified the historical process by creating religious quarrels that did not fit the rhythm of the time and by bringing back theories that no longer had any real significance. What would survive of the Napoleonic experiment, in relations between Church and State, would be on the one hand the laicization of absolute power, following upon that of democratic power—in spite of the parade of the coronation at Notre-Dame and the other superficial religious manifestations that Napoleon himself voided of meaning—and, on the other hand, the achievement of a concordat that lasted nearly a century, and a system of perfected police control of the Church, which future laic-jurisdictionalist governments would find useful.

On the disappearance of Napoleon it was believed possible to wipe out the First Republic, the Directorate and the Empire, to put every-

thing back as it was, frontiers, privileges, rights, politics, economy, culture; as if from 1789 to 1815 twenty-five years counted for nothing, and could be cut out of the historical process and remembered only as a long and dreadful dream between the evening watch and the new dawn that rose on Waterloo.

§ 46.—The State that was taking shape through the bloody experiences of the Revolution and of the Napoleonic wars could no longer mould itself either on the absolute monarchies or on the reformistic State of the second half of the XVIII century. In spite of everything, a new democracy had been born. It must not be thought that democracy sprang ready made from the brain of the French revolutionaries like Minerva from the head of Jove. Democracy in the concrete is itself experience, and its process is still in course; a century and a half cannot suffice to change the political history of thousands of years, in which democratic forms appear as rare oases in a vast desert. After the popular republics of the Middle Ages, and, in certain respects, after republican Rome, the French republic may be considered the first experiment in democracy; we must go back to Athens to find any term of comparison, but neither Rome nor Athens, with their slaves and helots, nor the medieval republics with their serfs and guilds, can provide conclusive models for the first French republic or that of North America. It is from these that the experience of contemporary democracies takes its origin.

Practice alone would bring to light the nascent problems of democracy and the various attempts to solve them. The endeavour to abolish the past led the France of the Revolution to destroy all the organic social forms, which had become ossified, producing breaks and voids that impeded the circulation of life in the body politic. But when the estates, guilds and other particular organisms had been demolished, there remained only the individuals face to face with the State. The struggle was polarised between the two terms—on the one hand the individual, who, craving omnipotence, transformed liberty into licence; on the other the State which, in order the avert an individualistic disintegration, transformed its democracy into tyranny. If it were possible to regard this period as a physico-mechanical phenomenon, we might

say that the breaking down of the old social dykes let loose warring natural forces, which fought for an equilibrium only gradually attainable. It was not a physical phenomenon; the human mind and will entered into it far more than has been believed, but they had to feel their way in the new experiences that had found realisation in social life in the midst of seething passions.

A mediation between the State and individuals was wanting. And since social life cannot develop without a progressive articulation, there arose a spontaneous crop of factions, clubs, directorates, parties—variable, unstable organisms, since they were born of mob passions and precarious situations, and also because they lacked economic and juridical bases such as property, the corporation, the social estate. These temporary and passion-inspired groupings acted as mediators between the individual and the State, but in the absence of a tradition everything was created *ex novo*. Only slowly could a unitary consciousness be formed, binding citizens together in a common aspiration. The variability of groups, the creation and dissolution of parties, the practical difficulties to be overcome led to a constant remaking of constitutions, an ever-changing series of representative men, the elimination, even by the guillotine, of those who at a given moment seemed a danger to the State. This instability led to an accumulation of powers in the hands of a few, and thus, as outcome or solution of the successive crises, the way was paved for the Directorate, the Consulate and the Empire. The first experiment in an inorganic and individualistic democracy was doomed to collapse between demagogy and tyranny.

But if democracy failed because it was inorganic, its elements remained to fecundate new forms, to enter into fresh experiences and to overcome the practical difficulties. The reawakening of the popular consciousness and the proclamation of the Rights of Man and of the Citizen remain as the substratum of all the new State régimes of civilised countries. Criticised, denied, trodden under foot, the basic rights re-emerge because the consciousness of possessing them and of the duty of exercising them survives. Formulas apart, which suffer the corrosion of history and adaptation to events, the idea of the equality of individuals and that of political rights as inherent in the person of man as a citizen persist. Napoleon would be inexplicable save through

these two basic ideas—individual equality (the civil code) and political rights (the popular origin of power), which persist even when, through his victories and his genius, in practice he transformed his power from popular into personal and from free into the authoritarian power of a police régime. This phase was not the negation of the principles of the popular origin of power and of equality, but the counterpart to the excesses and degeneration of democracy.

From these two phases there emerges now the idea of Nation, now the idea of State, as something above and beyond both the uncertain and fluctuant collective will and the transient personal will of the autocrat of genius. The administrative and military structure of the State, which forms a depersonalised whole, working through a higher and lower bureaucracy, responded to the need of replacing the organisms and social hierarchies that had been suppressed, and of providing a new articulation to collective life. There would be no more mercenary and professional armies, no more royal guards, whether Swiss or of other nationalities; the army belongs to the nation, the army is the nation. All who are able must bear arms, conscription will be compulsory, there will be permanent standing armies. This transformation is not simultaneous or identical in all countries; history is not made by passes of a magic wand. There are countries, like England and the United States, where even to-day permanent compulsory conscription has not been introduced; through geographical and political conditions it has not been necessary, though they have their regular armies and their fleets. But apart from differences between one country and another, it is no less true that the conception of the modern State leads towards a national army and, in a general way, towards compulsory conscription.

This State centralisation has two causes—personal power and democratic individualism. The personal dominion of Richelieu and Louis XIV had broken down the resistance of vassal princes, independent cities, clergies and autonomous bodies. The Revolution and Napoleon did the rest. France henceforward would be the most centralised State imaginable, not only in administration but politically, ecclesiastically, culturally. Paris dominated and overwhelmed the other cities. A centralised and perfected police force and a State spy-system had been

wanting; Napoleon supplied them and made them the most effective nexus of a centralisation at once statal and personal. Once the individual had become the basis of society, once all the intermediate nuclei had been destroyed or reduced to mere forms, once the origin of power had been attributed to the people (even if such an origin was inconvenient), there was nothing left but to centralise and control the life of the State and social life, and to summon the people to express the collective will by plebiscites or electoral vote, so as to give a kind of effectual title (though without intrinsic value) to the power won or usurped. Napoleon's example would be followed.

As part of the picture of such a centralised State comes control of the autonomous, private, religious school. Under the *ancien régime* no one challenged the Church's office of instruction and education. The States, or rather the monarchies, sought to guarantee themselves against papal encroachments by prescribing the theories to be taught on regal rights; the universities enunciated the official theories in ecclesiastical matters and prosecuted theories contrary to religion and morals. The prohibition against the Jesuits of France, who might not teach or have schools, was an exception, due to their clash with the Sorbonne. Democracy was bound to bring compulsory education. The State school was a consequence; Napoleon turned it into a school for the State. The school system was centralised. The old Sorbonne became a State University; under it were all the schools of France, down to the elementary ones. Methods, programmes, classes were unified, stabilised, arranged so as to form the citizen-soldier and subject.

The State of the *ancien régime* had rested upon the ethics of the Christian religion and on Canon Law, according to the prevailing or official confession. The school therefore was always definitely confessional. The conception of natural law as autonomous, antecedent to the Christian religion and independent of it, gave the motive for a cultural parting of ways. The democratisation of the laicised State rendered this parting of ways effective through the State school. Napoleonic authoritarianism added a finality—*for* the State. The Church under Napoleon aimed at collaboration in a confessionalised State school—a servile collaboration which continued under the Restoration. Historically, the educational monopoly would be the

starting point for a new struggle between Church and State for the vindication of educational freedom—a struggle still in course, and the end is not in sight.

The State or the Nation, alternatively or conjointly, could not affirm their autonomy and laicity save through a philosophy in which they were recognised as realities. Such a philosophy, if it were to be reconcilable with the Church, would have had to admit a duality; this very fact would have attenuated the autonomy of the Nation, whereas on the contrary the tendency of thought and of the social fact was towards the Nation monistically conceived, with the State as the realisation of its potentiality. The French Revolution conceived the nation as a common will, a sovereignty of the people, a collective solidarity as opposed to the will of a few (oligarchy), to the sovereignty of one (monarchy), to division into 'estates' (hierarchy). Napoleon consecrated this national ideal with his victories, and it outlived him. Although there were those (they are always present) who sought to monopolise the idea of nation, assimilating it to their own political and economic group, yet the idea remained as something above and beyond even the State, a kind of hypostasis of the people as a whole, with its characteristic genius, race, language and history.

It was possible to talk of a nation not only in respect of France, which was a political unity, but also in respect of Germany and Italy, which were divided into various independent States. Even for the peoples of different race and language subject to foreign powers there was talk of nations from the moment a consciousness of national personality began to take shape. Little by little two feelings developed, which became theories and political movements, that of nationality as a personality to be vindicated against foreign governments, and that of the nation as a political order in which the people, a living and united community, was the constitutive and finalistic factor.

F. G. Fichte in his letters to the German people, then subjugated and reduced to impotence by Napoleon, not only incited them to a political rising in order to win their civil independence, but saw in the nation a characteristic vitality, a unity of living thought as participation in a single soul, that of 'Germanity'. This was conceived as a pantheistic entity in which and by which the phenomenal existence of the indi-

vidual found consummation. Up to Fichte the current conceptions such as liberty, equality, fraternity, nation, people, parliament, sovereignty, division of powers, religion, church, had been those worked out by jusnaturalism and by the Enlightenment of the XVIII century. Fichte introduced a new element which gave a synthesis to the collective or popular will of Rousseau. This, taken as implicit will, would have no means of making itself understood; taken as explicit will it would become the will of an oligarchy or of a tyrant. Rousseau led first to the Convention, then to Napoleon. Fichte instead created a mysticism that gave the nation its basis, as the idea-force of a people that had yet to find its unity and to achieve its moral and political unification. Fichte conceived the nation pantheistically, whereas the French revolutionaries had conceived it rationalistically. The two ideas could not be amalgamated. The nation rationalistically conceived was integrated by the international and humanitarian idea, while the nation mystically conceived had no further integration than in itself and in its own exaltation.

The nation rationalistically conceived became an active principle not so much of external differentiation as of internal assimilation. International policy was to set its course by the new irenic conception. Wars would be waged not for the magnification of the dynasty, for between nations there could not be struggles and wars born of occult interests and the jealousies of reigning houses, nor of the spirit of conquest and domination, but only in defence of national integrity. In declaring war on Austria, the National Assembly of Paris on April 20, 1792, proclaimed that 'conformably to the maxims consecrated by the constitution, which forbid France to undertake wars for aims of conquest or to employ her forces against the liberty of any people, the French nation takes up arms only for the defence of its independence; the war into which it has been forced is not a war between nation and nation but the just defence of a free people against the unjust aggression of a king'.

It is true that this magnificent label covered damaged goods, that is, a war provoked by the various parties and by the Court, for purposes of domestic policy. But it is also true that France in that war had no aim of conquest, nor did she seek to deprive any other nation of

freedom and independence; in certain respects she was safeguarding her own independence. Apart from this, there are historical moments when words signify far more than the men who utter them, and indeed assume an objective character that transcends the intentions with which they were uttered. The case is comparable to the prophecy of Balaam's ass. It would have been impossible for an absolute monarch to have spoken such words; he was obliged to think of the good of the country in function of the good of his House. The new international conception appeared in the world in practical (and no longer theoretical) form precisely at a moment when in practice it was being violated by its very exponents. It was no rare happening (the Holy Alliance would be another example), but such as to create possibilities for the future.

Immanuel Kant with his *Essay on Perpetual Peace* (1795), published at three years' distance from the declaration just quoted, gave a liberal basis to the international organisation he had in mind. As yet the word *liberal* (as the adjective of liberty with a political significance) was not born, but the liberalism of the XIX century would find in Kant its first and greatest philosopher. The separate States which, according to Kant, would form a federation would each have its free popular government, and accept the principle of the non-intervention of one State with another; an international *status quo* would be guaranteed by the popular will to make no war for greed of conquest or in violation of rights. It was then believed that the motives of war sprang only from the ambitions and jealousies of the reigning houses and from their absolutism.

Kant's international construction derived directly from his conception of the State. This was to be a State *de droit*, in which the bond of law renders possible the co-existence of free and equal individuals, based on the principle: 'to act outwardly so that the free use of the will can accord itself with the liberty of each in harmony with the general laws'. This presupposes the other Kantian principle, that 'right consists in the possibility of accord between general and reciprocal compulsion and the liberty of everyone'. Such principles throw light on the conception of the liberal State, in which wellbeing is sought by the initiative of individuals, which can be developed not only in so

far as there exists a legal order which the State can use coercion to enforce, but also in as much as the individuals know that they must enjoy their liberty in such wise that their use of their own liberty can accord with that of others. The inner conception of duty coincides with the rationality and liberty of the man-noumenon; realisation on the juridical plane of the State *de droit* brings the co-existence of individuals, that is, the possibility of an accord of coercion with freedom.

When this conception was carried to the international plane, the federation of States was no longer conceived on a basis of egotistic interests to be vindicated one against the other, but on a basis of the right and liberty of individuals reciprocally recognised and respected. Kant's plan demanded above all a transformation of the domestic régimes of the separate States; the American Republic and the French Republic then appeared as the first beginnings of such a transformation. But the liberal conception of the State *de droit* would need time to ripen it; it would have to overcome the triumphant demagogies; perpetual peace could be only its crowning outcome. Kant was not a dreamer or a mystic, but at the moment when all the barriers limiting human activity were falling and the popular-national spirit was coming into being, the concept of liberty presented itself in a mystical guise as a liberation from the political, civil, ecclesiastical and economic suffocation of the past. Liberty assumed the aspect of a good in itself, liberty for individuals, liberty for States, not as a gift from without but as an inward development of personality, whether the personality of the citizen in the face of public powers or that of the State in the face of other States. It is the vision of the individual and humanity together, which in its binomial form sums up the whole social fact and reduces it to liberty and law. Within this vision had arisen the gigantic shadow of Napoleon, who seemed to destroy it. He wrote at St. Helena that his ideal was to form a confederation held together 'by unity of codes, of principles, of opinions, of sentiments and of interests'. Whether true or not, Napoleon passed, the vision remained.

§ 47.—The Napoleonic Empire, the thrones he had assigned and the kingdoms improvised under his lightning victories, could not form a lasting edifice in the political field, national and international, for two

necessary factors were absent. One was a tradition responding to the feeling and interests of the populations, as a basis for the new order; the other an international equilibrium in which to find stability amid the clash of European forces and egotisms. As it had arisen through fortune of war, with misfortune of war it collapsed. Historians and philosophers question what would have happened had Napoleon emerged victorious from Waterloo? The question, in the realm of facts, is as idle as the others, what would have happened had Caesar not been murdered, or if the Crescent had won at Lepanto, or if Germany had won the Great War. Yet from the sociological standpoint it may be answered that even had the opposite of what actually happened occurred (which would have been the opposite only of what was considered a decisive episode), the social factors were such that neither a man of genius nor an acquired situation would have turned aside the historical process to any great degree. By another series of events which we cannot trace and with other men in command, a sociologically analogous solution would have been reached. With or without Waterloo, Napoleon's international edifice, either speedily or gradually, was bound to collapse or to become transformed.

What Napoleon's victors ill-understood and all the restorers of the past failed to see clearly or to grasp with foresight, was the necessity of utilising the constructive elements that had accumulated through the revolutionary experience. The period between the American Revolution and the Congress of Vienna was a forty years of elaboration of politico-social theories in the harsh soil of experimental fact, and to this task all had been called, kings and popes, nobles and clergy, bourgeoisie and masses, generals and soldiers, politicians, literary men, philosophers, courts, universities, clubs, parties, in a terrible and tragic melting-pot. To think that after forty years of such compass it was possible to return tranquilly to the past with the idea of a restoration was to admit the reversibility of history, to cut short a process in course, to make what had been done undone, to wipe out events from the memory and heart of nearly two generations. The responsible men of the Congress of Vienna were more or less aware of what had happened, but as gathered together to solve political, dynastic and international problems, they brought to bear upon them an attitude of mind unequal

to the situation. They were thinking in terms of a Europe of courts and dynasties, of balanced alliances, of State hegemonies; the Europe of the nationalities and the Europe of the people escaped them.

The basic principle laid down at Vienna was that of the *legitimacy* of the sovereigns. The idea of legitimacy is inherent in that of power. It is impossible to conceive a power that is not legitimate; if it is not so, if it is a case of usurpation, it cannot be considered as power; there will have to be either a restoration of the old power or a legitimisation of the new. The problem consists in the criterion by which a power can be considered legitimate or able to be legitimised. For those who hold that all sovereign power resolves itself into the will of the people, apart from the theories in support of this thesis, legitimacy and legitimisation are two aspects, the one regular and the other irregular, of the proclamation of the person invested with power. In the first case he is legitimate in accordance with the traditional laws which are, at bottom, laws of the people, having its actual or presumed consent. In the second, legitimacy is achieved because the people ratifies the usurpation that has taken place, giving it value.

At Vienna there was no room for this thesis. What was affirmed was the historic right of the European dynasties as inherent in the sovereign families, independently of the popular will. The historic rights combined, in actual fact, with rights of conquest (the case of Poland) and with the interests of the victors—all titles of a dynastic character and of traditional law adapted to the circumstances. Invocation of the accepted principles was made only when they coincided with the interests of the great victorious powers and of their allies, and not in other cases, like those of Venice, Genoa and Saxony. When it was discussed at Vienna whether the kingdom of Saxony should be preserved or not, and Alexander I observed that the Saxons wished to remain united, Francis of Hapsburg replied that 'a prince can, if he will, cede a part of his country and all its people; if he abdicates, his right passes to his lawful heirs. He cannot deprive them of it and the whole of Europe has not the right to do so'. Talleyrand, on the basis of the principle of legitimacy, defended the rights of Louis XVIII, King of France.

The historic rights of legitimacy and heredity, the rights of conquest,

when all popular consent was ruled out, on what principle should they rest? In default of popular sovereignty, there was no other principle than the sovereignty of God, with which the princes felt themselves to be invested. The three signatories of the Holy Alliance, the sovereigns of Austria, Prussia and Russia, declared that they considered themselves 'as delegated by Providence to govern three branches of the same family . . .' The manifesto of the Holy Alliance was called the Declaration of the Rights of God, as against the Declaration of the Rights of Man. There was no other choice—either a sovereign laic power, finding its origin in the nation or people, albeit through an historic right, or else a sovereign power rendered religious as founded on the authority of God and supported as such by the official Church.

The scholastic contractual theory that reconciled the two tendencies had been buried in silence even by its traditional and keen supporters, the Jesuits, before their suppression. Others, through fear of Rousseau, dared not advance it. Nor in those days would it have been understood by men who wanted to wipe out the memories of the Revolution and re-establish the absolute power of the kings. The Pope, who in the case of Napoleon, by crowning him had recognised the principle of a *de facto* government legitimised by the will of the nation, now could not but rejoice in the open recognition that sovereign power was derived from God. At the same time he was on his guard lest all the injustices that men were about to commit should be laid to the account of divine authority, including those towards the Holy See, whose historic rights were challenged through an understanding between Vienna and Murat, then King of Naples. When the quarrel with Rome had been settled, the map of Europe remade, while certain parliaments were permitted, with restricted powers and as a sovereign concession (apart from the traditional parliament of Great Britain, which was likewise passing through a reactionary period), the practical result was the affirmation of the absolutism of the kings, based on the religious principle of divine authority and maintained through the close union of Throne and Altar. Here was an historic variant of the old Divine Right, no longer counterposed to Church and Papacy, but as opposed to the right of the People and of the Nation.

Legitimacy, absolutism and the religiosity of the monarchic power

were conceived at once as the basis of each separate State and as a common element of an European union or League of kings. In order to guarantee the maintenance of the new political and international system springing from the Treaty of Vienna, the Treaty of Paris and the Proclamation of the Holy Alliance, coercive methods were required, both against pact-breaking sovereigns and against rebellious populations. Hence the constitution of the four great victorious States as heads of the new Europe—Austria, Great Britain, Russia and Prussia. After a qualifying period, France was added to their number. The small States were set in the second rank, dependent on the great ones. Austria built them into a system of political balance of power and had the lion's share—the Germanic Confederation on the one side, the Italian States on the other.

To this system the mystical impulse was provided above all by the need for peace, which was keenly felt after twenty-three years of continuous warfare all over Europe and in America, carried on by large forces on sea and land. An organised peace, whatever its nature, always finds a sentimental acceptance on the part of the masses. With peace was combined the return of the dispossessed sovereigns, traditionally associated with paternal methods, in the midst of peasant populations as in the German principalities. Exiled nobles and priests were coming home, churches were being opened or restored, traditional worship was reinstated; even in England the Government took to building or restoring churches and to improving the conditions of the Established Church. The open union of the churches with the sovereigns gave many a sense of stability and social security, which transformed itself into a kind of ideal conception. The principle of authority, re-established in its twofold character, natural and supernatural, to those who had suffered by the revolutions and wars was a reason for faith in the future.

All this constituted the necessary premise for the development of a mystical sentiment, were there anyone or anything to awaken it. The Holy Alliance presented itself as a divine message, a word inspired from above. Here was a document of kings speaking of God, of Jesus Christ, of love, of justice, of peace. Alexander I of Russia was its prophet (before he too turned tyrant), wavering between human-

itarianism, the Gospel, liberalism, and the Divine Right of Kings. Nor was a prophetess lacking, to inspire it—Madame de Krüdener. Goethe judged that act 'the most beneficent thing that has ever been tried by humanity', and many were of Goethe's opinion. But Great Britain had not given her signature. Castlereagh wanted to deal with affairs not to proclaim principles. The Pope had refused to put his signature side by side with those of two religious heads, the one Lutheran, the other Orthodox, in an appeal to the Gospel. All the other States were considered as minors or of the second rank, and were not invited to sign. Moreover, the Minister of the Austrian Empire counted far more than the Emperor; Metternich was of Castlereagh's mind rather than that of Alexander I. For him the manifesto of the Holy Alliance and all the propitiatory festivals that accompanied it meant much less than the military agreements and international police system on which the new authoritarian order would be founded, so as to impose on Europe the will of the four great victorious Powers and above all of Austria.

The Holy Alliance, idealised and felt as an aspiration that was coming to fulfilment in spite of historical contingencies, diplomatic intrigues and the incomprehensions of the men of *realpolitik*, could be believed to be a step forward and not a return to the past, a mystical motive touching the peoples, not a mere calculation or red herring on the part of the sovereigns. It contained a necessary principle for the salvation of Europe—that of international solidarity based on ethico-juridical foundations. Seeking as it did to be the negation of the immediate past, it yet contained certain of its elements. The necessity for finding a common ground, over and above the interests and egotisms of the dynasties, led to the establishment of moral principles of a general character. On this plane the opponents of dynastic absolutism and the champions of the nationalities found motives for polemics and a real basis for their antithetical constructions. Two mysticisms confronted each other on a political and sentimental plane—that of the champions of the Holy Alliance and that of the supporters and vindicators of liberties. The latter tended to revise the democratic positions with a view to a greater insistence on personal liberties, which were more appreciated now that they were lost; the former, insisting upon the

value of the traditional authority, wanted to re-establish it, as a principle of order and of salvation. Freedom and authority were conceived as antithetical; Catholics as such allowed themselves to be dragged in the wake of the idealists of authority.

One of the most notable, and certainly the most interesting, representative of the period was the Savoyard, Joseph de Maistre (1754-1821). He passed as a kind of secular holy father of the Catholic absolutist revival and reaction, but he was more than this; he played a considerable part in the elaboration of the anti-rationalist, historicist and romantic thought of his time. He fought popular sovereignty and the contractual theory of the origin of power, upholding a kind of mystical transmission from God to the monarchs by providential participation. This thesis must not be taken in isolation; it was part of the system of philosophical traditionism, or fideism, which taught that our natural knowledge is not autonomous but is derived from a primordial revelation; thus just as society is a divine institution, power is likewise a divine participation. The value of such traditionism is indestructible through the direct action of Providence. If Providence permits evil, it does not fail to intervene to chastise the authors, making use of the devil or of the evil men themselves; if the chastisement is delayed it is in order that its effects may be more salutary. Under this aspect the Revolution was an instrument of Providence. Christianity, perfecting the primitive traditionism, is a perennial element of unification of human societies. This task is fulfilled by means of the Catholic Church. The other churches no sooner broke away from Catholicism, than they lost the characteristics of integrity of faith and apostolate. Only the Catholic Church preserves and increases them because at the centre stands the Pope. The national churches, such as the Gallican, have degenerated from true Catholicism because they limit the powers of the Pope and contest his infallibility. The Pope, in De Maistre's thought, is a vital principle of social conservation and renovation, for he incarnates in the highest sense the authority of God. The Pope, not this or that pope with his defects and the human insufficiencies of his government, is the active principle of the religious unity that must become the active principle of the unification of the world. De Maistre in his exceptional and prophetic form, while exaggerating traditionism

at the expense of reason, performed a constructive work, for he restored to its place the sense of historical contingency, which the Encyclopedists under certain aspects had despised; he gave a motive to the historical process, interpreting it in an apocalyptic sense, and he centred it in Catholicism and hence in the Pope, as the maximum organisational expression and supreme authority of the Church. The idea that a new Christendom was emerging from the chaos of the French Revolution, permitted by God for the purification of society, for its re-creation by the sacrifice of so many, forms the mystical, historical, romantic substratum of De Maistre's thought.

He did not stand alone. The Count de Bonald, who had much the same outlook, had many followers in France, and he and De Maistre inspired a large band of writers, literary men and philosophers of the pre-romantic movement, the greatest of them being Chateaubriand. A place apart and one of very high order was occupied by Maine de Biran (1776-1824), who, abandoning the sensualism of Condillac, reknit in philosophy the interrupted line of thought of Malebranche and Pascal. In his spiritualism, understood as experience of a higher life, grace in the Christian sense fulfils and transcends nature, the irrational potencies of which cannot be subdued by pure reason and the simple training of the will. The historical experience of Christianity coincides with the inner experience of the Christian. Maine de Biran, as often happens, had no great influence on his own time, but later, when a new spiritual revival was preparing against the flatness of positivism, his psychology entered into the stream of modern thought.

What was then of import (and Maine de Biran's contribution was here precious) was the historical, psychological and literary restoration of Christianity as an integrating element of society, whereas rationalistic and naturalistic thought of the XVIII century (which was still in the ascendancy) had conceived of society as dissociated from Christianity; and at the same time the historical reconciliation of nature with grace, instead of the breach between humanism and the supernatural life. To this movement de Lammenais dedicated the first part of his literary activity, becoming famous with his *Essai sur l'Indifférence en matière de religion*. By misfortune this movement was largely authoritarian and reactionary, denying any right to the people. Society was

looked upon from the gregarious standpoint, the individual conceived as an eternal minor. According to de Bonald, man is born to be taught and led; his teacher and leader, that is, the Monarch, is considered as belonging to an almost extra-human order like the Church. The monarchy is pre-existent to society since it constitutes society; its title is exclusively a divine title, its basis is divine tradition. An anti-rational authoritarian and religious traditionism is the soul of Bonaldian thought. His philosophy of knowledge is expressed in the proposition (which Catholics cannot accept): 'For all knowledge, even profane, faith precedes reason to form it and reason follows faith to affirm it'. The origin of society is analogous. Thus this mysticising and historicising movement of the pre-Romantic Catholics attenuated or denied reason for the sake of faith, attenuated or denied liberty for the sake of authority, attenuated or denied historical initiative for the sake of traditionism. And just as the Holy Alliance very soon threw aside a mystical fervour which had no solid basis, and showed itself for what it was, a reactionary and utilitarian political policy, so the movement of the Catholic traditionists lacked mystical nourishment, and, once the prophetism and lyricism of its pioneers had passed, became for many a reactionary and utilitarian conception of religion as the instrument of the absolute monarchies.

CHAPTER XII

LIBERAL, NATIONAL AND SOCIAL MOVEMENTS—POLITICAL AND RELIGIOUS REACTION

§ 48.—From 1815 onwards political reaction raged. Institutions created and measures taken in the preceding period were abolished wherever possible, even where this was useless or dangerous. Although certain prudent men at Vienna had recommended that the princes should use moderation in making changes, nearly all, and particularly the least intelligent, thought that the best way of governing was a return to the past, even in the fashion of clothing. Court calendars and aristocratic privileges were restored to honour. In Rome the Jews were driven back into the ghetto. Ferdinand of Spain restored the Inquisition and ordered the surrender of property formerly held by the religious Orders, taking it from its purchasers and possessors.

The European situation was then assuming very marked features. In half a century of experiences various factors had changed the basis of society, among them, with far-reaching effects, the abolition of the privileges of landed estates and of commercial and occupational restrictions and the establishment of the equality of citizens before the law. This was leading to the development of nascent industrialism, to free interchange, to the reinforcement of the bourgeois class and to the proletarianising of the worker. To attempt to reduce these movements to impotence was a desperate enterprise; of this the princes became aware only when it was too late.

This civil and economic substratum of the situation presented itself under a political aspect, for in the political field reaction against the past was in full swing on the part of absolutist sovereigns, court nobles, and novelty-hating clergy. Battle was engaged for the preservation or reconquest of the political constitutions and liberties. In Spain where absolute government had been restored there was a demand for the

CHAPTER XII

LIBERAL, NATIONAL AND SOCIAL MOVEMENTS—POLITICAL AND RELIGIOUS REACTION

§ 48.—From 1815 onwards political reaction raged. Institutions created and measures taken in the preceding period were abolished wherever possible, even where this was useless or dangerous. Although certain prudent men at Vienna had recommended that the princes should use moderation in making changes, nearly all, and particularly the least intelligent, thought that the best way of governing was a return to the past, even in the fashion of clothing. Court calendars and aristocratic privileges were restored to honour. In Rome the Jews were driven back into the ghetto. Ferdinand of Spain restored the Inquisition and ordered the surrender of property formerly held by the religious Orders, taking it from its purchasers and possessors.

The European situation was then assuming very marked features. In half a century of experiences various factors had changed the basis of society, among them, with far-reaching effects, the abolition of the privileges of landed estates and of commercial and occupational restrictions and the establishment of the equality of citizens before the law. This was leading to the development of nascent industrialism, to free interchange, to the reinforcement of the bourgeois class and to the proletarianising of the worker. To attempt to reduce these movements to impotence was a desperate enterprise; of this the princes became aware only when it was too late.

This civil and economic substratum of the situation presented itself under a political aspect, for in the political field reaction against the past was in full swing on the part of absolutist sovereigns, court nobles, and novelty-hating clergy. Battle was engaged for the preservation or reconquest of the political constitutions and liberties. In Spain where absolute government had been restored there was a demand for the

Constitution of 1812; of the two parties involved the authoritarian party was called *servil*, the constitutional party *liberal*. Thus the adjective liberal and later the noun liberalism were introduced into Europe, creating in certain spheres much the same impression as the words bolshevist and bolshevism to-day. The liberals of those days were constitutionalists; the bourgeoisie wanted to share in power so as to limit the absolutism of the monarch, to prevent the return to class privilege, to protect themselves against dispossession of the property obtained during the revolution, or to regain it, as in Spain, and to ensure civil and religious liberty and equality.

Was there any possibility of a constitutional system in which the people would share in power, without freedom of opinion, of association, of speech and of the press? That is to say, without the direct and congruous means for the vindication of rights and interests? These liberties were demanded and defended all the more vigorously in that they were precisely those that the reaction denied or so limited as to make them useless, deeming them the cause of the disturbances, instability and revolts. Hence an irremediable friction both with the absolute governments and with the Church, who opposed such liberties as implying freedom of worship and the spread of theories contrary to Christian faith and morals.

Pius VII in a letter to Mgr. de Boulogne on April 29, 1814, had protested against the draft Constitution prepared by order of Louis XVIII, because Art. 22 allowed 'freedom of religions and of conscience'. He wrote: 'By the very fact that the freedom of all religions is established without distinction, truth is confounded with error, and the holy and immaculate Spouse of Christ, the Church outside which there can be no salvation, is placed on the same footing as the heretical sects and even as the perfidy of the Jews.' Further on he added. 'Our astonishment and our grief were no less when we read Article 28 of the Constitution, which maintains and promises freedom of the press, a freedom that menaces faith and morals with the greatest perils and certain ruin.' Louis XVIII did not accept the draft Constitution as it stood and introduced various modifications. The Charter granted proclaimed the equality of citizens, freedom of the press (with the corrective of government censorship), and freedom of worship, while

at the same time declaring Catholicism the State religion. In France it was then impossible not to concede this minimum, and it was necessary to repeat yet again (after the Napoleonic Concordat) that the sale of national property was irrevocable. It was also added, in order to tranquillise the country, that it was forbidden to enquire into opinions expressed or votes cast by any citizen under the revolutionary régimes. It was thus hoped to achieve appeasement, while leaving public opinion a certain if limited vent through the press and parliament.

The most active and intransigent current among the Catholic clergy and hierarchy declared itself against all constitutionalism, rallying round the absolutist courts and especially the Court of Vienna. For Rome and for intransigent Catholics, Vienna was assuming a new aspect in the defence of Catholicism. For three hundred years it had been considered the most stalwart defence against Germanic Lutheranism, against the Islamic peril and against the encroachment of Slavonic Orthodoxy. Now Vienna, no longer the reforming and enlightened court of Joseph II, had become the centre of anti-liberalism. Vienna was thus playing a fourth role in European Catholic politics.

The Company of Jesus, reconstituted by Pius VII in 1814, showed at once so much vitality that it could be said never to have ceased to exist—so rapidly had it regained the spirit and discipline of its founder. In the struggle the Jesuits were for the most part with the intransigents, with the *ultras*, with the reactionaries, as they were called in the various countries, and, as was natural, they became the most hated. They were persecuted by the constitutionalists and at the same time looked upon askance by the absolute governments and national clergies, who fostered memories of a not very distant period. The monarchies wished indeed for the support of the Church, they were disposed to restore the confessional State which the Revolution had overthrown, but they wanted bishops and parish priests to be in the service of the Government, with a State monopoly of education even in respect of episcopal seminaries, and in general the privileges of the jurisdictionalist system.

Where, as in France, there was a modicum of constitutionalism, the governments sought to propitiate the liberals and those of revolutionary tradition by restricting the activity of the clergy where it might be troublesome, whether in the realm of religious and moral defence

through the press and associations, or in that of education and even in the preaching of religious missions. These, on the other hand, were not always confined to religious matters, but with an often excessive or ill-considered zeal, turned into a campaign of intransigence and political reaction, now in accord with the bishops and government, now against them. No position could be more uncomfortable than that of the Church of France. It was officially bound to the Bourbon monarchy under the device of 'Union of the Throne with the Altar', and in certain respects was hampered in its ministry or embarrassed by the reactionary policy of the day. Hatred for the Government rebounded on to the Church that supported it, and the intemperate attitude of the *ultras* was undermining the system of constitutional monarchy. Thus irreligion and indifferentism spread among the cultured classes, in the bourgeoisie and even in the mass of the people whom, it was believed, the support of the political power would have brought back to religion.

Conditions in the countries under absolute government were no easier than in France. Rome sought to restore the hierarchy where it was lacking, to resystematise relations with States by means of new concordats—as with Russia, Bavaria, Poland, Naples and Sardinia—or else by other forms of understanding, like the *modus vivendi* Bull with Prussia and other German States. Rome facilitated in every way the return of the religious Orders, reopened seminaries, schools, colleges, and gave full support to the new religious institutions. But all this was at the price of a revival of the jurisdictionalist bond of the Church to the State, and of the support of the Church to the monarchies in order to keep the subject peoples under control. The political aims of the Holy See then coincided with those of the absolute governments, and although Rome sought to limit her intervention to religious questions, she did not fail to favour the governments in their ungrateful task of suppressing revolutionary movements; all the more so in that the Papal State did not lack its malcontents, conspiracies and liberal propaganda. The condemnations of the *Carbonaria* and the other secret societies corresponded to the tradition of the Curia and to the aversion of Catholicism towards any sort of cryptic and ritual mysticism. The Carbonari were denounced not only as enemies of Throne and Altar, but as men reared to crime, who did not shrink from use of pistol and

dagger. Cardinal Consalvi, experienced in politics as he was, had dissuaded Pius VII from repression, especially since in Vienna the princes themselves were concerned at the line Rome was taking, under the direction of the Cardinals Rivarola and Pacca. He succeeded partially in promoting a political amnesty, but he did not succeed in checking the *sanfedisti* (a kind of clerical Fascists before their time), who were terrorising towns and villages with the idea of fighting liberals and freemasons. It was now that the Catholic reaction attributed to Freemasonry an extraordinary potency, beyond what the facts warranted (though in certain countries they were not inconsiderable), stirring the imagination and feelings of the people.

The Bavarian Catholics were forbidden to take the oath to the Constitution without an explicit reservation safeguarding divine rights. Consalvi, in order to find a way out and faced with the threat of conflict, obtained a declaration from the King of Bavaria that the oath to the Constitution concerned only the civil life of the country, not the law of God or Catholic doctrine. Apart from this episode—which showed a just anxiety not to confuse civil liberties with the naturalistic theories with which they were usually associated—any aspiration towards constitutional forms, towards political independence and the emancipation of the subject classes, even if promoted or favoured by Catholics and priests, was spied upon, delated, repressed. The Inquisition was again functioning in Rome and in Spain, while in the other Catholic States the Holy See gave the governments the support of its authority for the repression of liberal propaganda. In many countries and with not a few bishops political concern overshadowed even the pastoral ministry and the defence of principles.

At that time Rome believed that a return to the confessional State was possible, indeed, that it had already been effected; and that by methods of religious repression and police repression the factious element could be eliminated, tranquillity, order and a benevolent paternal régime installed, and little by little the very concessions granted in the matter of parliaments and popular liberties pared away. This increasingly rigid attitude on the part of the Holy See and of many bishops, bound to the monarchy and imbued with the old absolutist and regalist theories, combined with the anti-liberal campaign of the

Jesuits and other religious Orders, led to a confounding of a lawful constitutionalism and morally acceptable political liberties with the naturalistic and revolutionary theories. This helped to bring a still deeper cleavage between the Church and those aspiring to liberty and who, as liberals, passed for anti-religious and anti-Catholic when many of them were no more so than the very reactionaries who leaned on the Church to make of her an instrument of power or a means in the political struggle.

The confessional State as revived in the Catholic countries was formalistic and equivocal. The monarchs and the men of government might be inwardly more or less religious than those of before the Revolution, but the cleavage between religion and politics had already come about, nor could it be healed by the so-called union of Throne and Altar. The old structure of the confessional State had collapsed, the new structure was wobbling without sound foundations. Legitimism hampered the Church by binding her to determined dynasties. Absolutism meant a revival of the tendencies of the national churches towards Episcopalism and Gallicanism, and strengthened the position of laicising jurisdictionalism. The consecration of Charles X of Bourbon at Rheims was intended as symbol of the monarchic-Catholic revival of France. Rivers of rhetoric flowed; many old priests, in good faith, wept for joy and dreamed, some of Louis IX, some of Louis XIV. There were those to whom this sacred rite gave a sense of a reparation for the sacrilege of the execution of Louis XVI. And this notwithstanding that the papal coronation of Napoleon had intervened; at twenty years' distance this could not be forgotten by friends or foes of either Napoleon or the Papacy.

In this embarrassing union of State and Church a connecting link was wanting to bind the peoples to the absolute and religious power. The Church was now no mediatrix between the people and power, nor did the State mediate between people and Church. The two together widened the gulf between them and the people by coercive laws, police methods, repeated condemnations, (even though interspersed with amnesties), without reckoning with the exigencies of the middle and popular classes that were agitating. The series of revolts and repressions throughout Europe and the revolts in Latin America, which had

been going on since the Napoleonic period, taught the rulers nothing but to fear the future and to aggravate repressive methods. The papal State was one of the most affected because its administrative methods were out of date, its legislation incoherent, while the system of entrusting civil and political offices to ecclesiastics was inadequate and dangerous through its mixed character, sacred and profane, paternal and inquisitorial, sacerdotal and based on police-methods. Brigands and *sanfedisti*, freemasons and liberals, ravaged the tiny kingdom which should have been a model for other States. To so many evils was added Austria, whose policy weighed on the Pope-King, or better, on the Pope and on the King of Rome. Vienna under Metternich was in the period of the Restoration what Madrid had been under Philip II at the time of Trent, with the difference that Metternich did not resemble Philip either in his faith or in his mysticism, but only in his method of imposing on the Church a particular policy, that of Austria, which he believed coincident with the salvation of Europe.

The religious situation was no better in the Protestant and Orthodox countries. Here the official churches had not suffered the crises of persecution and separation of the countries dominated by the Revolution and by Napoleon; they maintained the old privileges of union with the State and their dependence on the monarchs as religious heads. Yet the dissident movement was increasing day by day, presenting itself here and there as a political and religious liberal movement. Indifferentism had gained the upper classes and the working masses, and was such as to rouse the anxiety of the governments. The latter in the twofold exercise of spiritual and temporal power used every kind of repression and oppression. They, too, feared revolts. The police system was triumphant in Prussia, terrorism in Russia, tyranny in Turkey and over the other populations subject to Constantinople. Great Britain too, where Parliament was still in honour, was passing through a very difficult period of distress and agitation. The economic crisis, the sequel to the Napoleonic wars, was interlocked with political and social agitation of a very marked character, in favour of reforms with democratic aspirations. The monarchy was in decay, with the madness of George III and the dissolute life and unpopularity of the Regent. The aristocracy was incapable of coping with the agitation, and feared the people. An

organised police force was lacking, especially in the big cities, which were liable to become the prey of exasperated mobs and peasant risings at a time when agricultural prices and especially the price of wheat were falling. The demonstrations in which the Phrygian cap and the tricolour were carried in triumph then aroused far more fear than those of our own post-war period with the Bolshevist hammer and sickle. The outcome was bloody repressions and blind reaction symbolised by Peterloo and the Six Acts.

Fortunately a group of men of worth and initiative, among them Robert Peel, William Huskisson, and George Canning, understood that it was necessary to return to Pitt's earlier tradition and to face courageously the problem of domestic reforms, among them that of the electoral system, penal reform and financial reform, as well as to change the course of foreign policy, till then, with the usual oscillations, bound to the reactionary policy of the Continent. Thus the British Government refused to intervene in Spain, which had revolted in order to win back the Constitution of 1812, and encouraged the resistance of the Spanish colonies; it supported the revolt of the Greeks against Turkey, and broke away from the concert of Great Powers that went under the now tarnished name of Holy Alliance. With Canning begins a liberal policy in foreign affairs.

§ 49.—In 1830 it was fairly clear that the policy of 1815 had failed, both in the international field and in that of the separate States. By then Metternich was no longer in a position to create a new European system. Charles X fell and the crown of France was assumed by Louis-Philippe who laicised it. In Spain Christina and Isabella had gained the upper hand through the support of the liberals. Belgium was breaking away from Holland, winning her independence and giving herself a constitution. Ireland, led by O'Connell, had won the fight for Catholic Emancipation, while Great Britain was on the eve of the political reform of 1832. In Italy revolts had broken out in Bologna, Modena, and Parma, with the constitution of provisional governments, soon overwhelmed by the Austrian armies. In Piedmont Charles Albert had acceded to the throne. In Warsaw the revolt had broken out which would lose the Poles the liberties they had possessed since the Congress

of Vienna. Greece had already fought her war of independence. In America Bolivar died after winning the independence of the Spanish colonies; Brazil had been declared an independent State, though its emperor came from the House of Portugal; the Argentine had its republic and Mexico its dictators.

The aspiration to independence of the peoples subject to foreign governments—like the Greeks under Turkey, the Italians of Lombardy and Venetia under Austria, the Latin-American colonies under Spain and Portugal, Belgium under Holland—presupposed two principles: that of nationality and that of self-determination. These principles drew their life from that of popular sovereignty. At a distance of time the connection between the three may seem non-essential, but then it was in the logic of the historical process. The idea of popular sovereignty, as a generic right of the people and as its consciousness of personality, did not necessarily spring from a particular theory, like that of Rousseau, but it could not be isolated from the jusnaturalist tradition and from contractualist reminiscences, which had so many centuries behind them and had received three far-reaching historical confirmations—the victory of the English Parliament over the Stuart Monarchy in 1688, the independence of the British colonies in North America in 1783, the triumph of French democracy over the monarchy in 1792.

The Restoration which, denying the right of the people, gave everything to the sovereign, even the faculty of disposing at will of kingdoms and provinces, in striking the pendulum to one extreme provoked a swing to the other. The idea of nationality, which in the XIV century had found concrete expression in the autonomous monarchies as against the idea of the Empire and in the national churches as against the medieval Papacy, at the beginning of the XIX century returned to life as personality and popular will in the face of the absolute monarchies. Already nationality was shaping a theory of its own, disentangled from rationalistic and abstract jusnaturalism, and based on an historical, national concrete fact that was emerging from the consciousness of each people. The Encyclopedists had conceived a rationalistically *a priori* society founded on the idea of a wholesome and good nature as source of rights and on this they built up individual

rights, forms of governments, the features of society. The idea of nationality, on the contrary, was based on the historic past of each nation or people, with its particular character, its language, literature, religion, mythology. Thus history was no longer looked upon as a sequence of facts and dates, external as it were to the people, but as the very life of the people, its soul, its mental formation, its feelings, its needs, its aspirations and achievements. Giambattista Vico's theory returned spontaneously to life; the many had never heard of it, but the psychology of the time was ripe for theory and facts to find an unexpected convergence. Before there could be consciousness of the value of such a theory, thought, under the impulse of Romanticism, had to take a plunge into the irrational, into intuitionism, into mysticism, with a confusion of ideas and a passion of feelings that showed a new and spontaneous, and by that very fact incomplete, phase of the general orientation.

Romanticism was not merely a literary movement. It found its expression and its name in literature and as such was known, loved, worshipped, distorted, extolled, attacked, belittled. But Romanticism was something deeper and more interesting than a literary movement. Literature cuts itself off from the currents of thought and art when it is cramped within aesthetic or academic circles and becomes a refined and cryptic exercise. True literature mingles with events and with the vital currents, feels their influence, and shares in the pathos of history. Then it is no longer literature in the narrow and sometimes even contemptuous sense of the word, but poetry, music, art, history, philosophy, politics, all that man thinks and expresses in a given manner, under given impulses, with ends that may or may not be clearly divined and expressed.

From the literary aspect, Romanticism was the movement of liberation from the classical rules of composition, from the logical order in speech, from the restricting unities of tragedy. It meant a free rein to fantasy, escape from the present, worship of the past, a leap into the unreal. It was the irrational turned towards the sensual, the mystical bordering on the orgiastic, the substitution of the passional for the lyrical, the abandon of the idea for experience of the concrete. All this brought confusion, but it gave a means of renewing the material and

technique of poetic and artistic expression and marked, after its fashion, a step towards a conception of art that might in its turn be called national and liberal; national because it sought in the national sagas and myths, in the traditional, religious and political sentiments of a people, for inspiration for poetry, romance, history, painting or sculpture; liberal because in casting off classical bondage and the academic style and in emancipating itself from ecclesiastical and political censorship, it idealised the free and independent people, with its passions, its feelings, its history of sorrows and glories, like a being awakening after long lethargy to the intoxication of a sunny morning.

All the literary and artistic excesses of Romanticism, sentimental, liberal, fantastic, anti-religious, over-religious, corresponded to the political excesses of the revolutionaries, that is, to a negation, through excess, of the very motives that had impelled them to act, through the lack of inhibitions that is felt when the social environment is in upheaval. The underlying exigencies of the Romantic movement were sound: a return to historical, traditional, ethnical, religious and popular values—not a return such as some, in their exaggeration, wanted, to even the style and incongruencies of a Middle Ages that could not be brought back to life, but taking such values as permanent values of the historical process, successively realised by the culture of the various ages. Such a balance between past and present could be achieved only through a violent eruption, which in its impetus would overthrow established and crystallised positions.

The national and political passions already aroused in the bourgeois masses and in literary circles by forty years of upheaval, were quickened by the works of thinkers, poets and artists. In spite of the censorship, of the police and of customs barriers, the rebel writings had a large diffusion. It was impossible to confine this seething of minds and imaginations within closed circles and under strict supervision. 'Liberty!' was the cry of literary Romanticism, 'Liberty!' echoed the middle classes, 'Liberty!' was the demand of the merchant and traveller. The slogan was again directed against the tyrant and the oppressor, against the police and the priest who was bound up with them; a slogan no longer in the name of an abstract Humanity, as at the end of the previous century, but in the name of the reborn nation, of a history

inspired with new life, of oppressed minorities, of peoples languishing under the foreign yoke.

The Romantic movement was at bottom a movement of Catholic liberation, albeit with an immense confusion of ideas and sentiments and with an unloosing of passions and signal deviations and distortions. In France the pre-Romantics, De Maistre and Chateaubriand, were followed by de Lamennais, Victor Hugo, Alfred de Vigny, Lamartine, Montalembert. In Germany Catholicism found a new force of attraction, both as the medieval church and as liturgy and living tradition. To the names of Stolberg, Schlegel, Werner, all converts, are united those of Görres, C. L. de Haller, Adam Müller, who took up the position, new for Catholics, of fighting the egotistic and absolutistic principles of the Restoration in the name both of the Germanic Middle Ages and of a Catholic conception of the State. Rationalism was then the flag of the Protestants, held high by Voss, while the revival of the Germanic soul came through the Romanticism of the Catholics.

There is kinship between English Romanticism and German, but Romanticism in England assumed a form of its own, more intimate and more mystical, in an endeavour to represent everyday reality as '*romantic and supernatural*' (Wordsworth) and the romantic and supernatural as '*expression of reality*' (Coleridge). The effort to escape from the flatness and formalism of social life and from a puritanism that for many had become exterior led towards the *fantastic* and *symbolical*, coloured by historical reality (Scott), towards passionate and frenzied denial (Byron), towards mystical idealisation (Shelley), to aestheticism (Keats), or apocalypticism (Coleridge), or the moralistic critical philosophy of Carlyle's first manner in *Sartor Resartus*.

The religious substratum was submerged in the pantheistic excess of aesthetic, philosophical and passionate elements. Coleridge's *Apostolic Church* had no foundations. Emerson came from America, bringing a message of spiritual elevation. It was in this period that the Oxford Movement was developing, with Pusey, Keble and Newman, as a true breath of spirituality, a religious revival which, without merging, enters into the romantic spirit of the time and becomes coloured with Catholicism. Newman actually passes over to Catholicism and would

be for many years its intellectual and moral leader. At the same time there is a development of the ritualistic and dogmatic movement that became known as Anglo-Catholicism.

In Italy two great Romantics, among a large band of writers, attracted general attention; they would have an immense influence on the thought and trend of the *Risorgimento*—Alessandro Manzoni and Giuseppe Mazzini. The first gave expression to Catholic and political Romanticism, the sanest, most balanced and loftiest that could be conceived, in works of genius such as the *Promessi Sposi*, the *Tragedie* and the *Inni Sacri*. Mazzini envisaged a new religion, synthesised in the device 'God and People', a kind of popular theocracy, in which the people expresses and actuates the divine will. This religion for him was not torn out of history but was the historical continuation of Christianity, in accordance with humanity's movement of indefinite progress, which would end by forming a family of all nations. The principles of liberty and nationality are closely connected with the moral reform of the individual and with human brotherhood, all derived from God and from the divine idea mystically vivified. Mazzini's was a kind of secular prophetism in which, together with intuitions of genius and profound, optimistic convictions, there are irremediable contradictions and historical and religious incomprehensions, due to his anti-Catholicism. But Mazzini's influence came chiefly from his personality, through which his ideas inspired the most ardent ethical and political feelings.

Political and social life was becoming permeated with liberal Romantic thought. The great currents of reform were two, the one liberal, of the middle classes, the other collectivist or communist or socialist, of the working classes. The first movement aspires to take over the command of the State, the other to transform the economic conditions of labour. Both develop with more or less utopian ideals and with improvised theories, and through various experiences and social convulsions arrive—the liberal movement first, then the workers—at concrete results.

The bourgeois class, seeing the unrest of the working classes and remembering the unloosing of the mobs during the Revolution, sought to limit the scope of so-called popular sovereignty, even while they

needed to lean on this in order to correct the sovereignty of the monarchs. Benjamin Constant (1767–1830) was the theorist of French liberal constitutionalism, and his theories passed the frontiers. Under Napoleon he had fought against the popular sovereignty which served to justify dictatorial power, through the expedient of a delegation of power by the people. After 1814 he maintained that the theoretical basis of power was indeed the sovereignty of the people, but understood not as an actually operative sovereignty but as the source of power; no one could arrogate to himself sovereignty unless he received it from the people either as its delegate (the parliamentary deputy) or as its highest representative (the monarch). Benjamin Constant took care to limit the scope of political power: it is not a social totality, for individual rights limit it. These must be vindicated against any sovereignty that might infringe them, whether that of the people or that of the sovereign. Hence, to the separation of powers (Montesquieu's theory) must be added the principle of the separation of the power of the king from that of his ministers. The formula was fixed by Thiers in 1830 in the famous sentence: *The King reigns and does not govern.* Just as the people is sovereign and does not govern and its sovereignty expresses itself at the polls, in plebiscites, in referendums, so the monarch (or president) becomes the symbol of the State, the element of balance between the powers divided into legislative, executive and judicial, the active element in the crises of public life; at the same time he is above the political responsibility with which his ministers are invested, and these at the same time are answerable both to him and to the people, as represented by parliament or summoned to the polls.

Louis-Philippe in granting the new Charter of 1830, to the words 'King by grace of God' added 'and by the will of the Nation'. Thus the legitimist theory collapsed and the contractual theory triumphed. In the Belgian Constitution the words 'by grace of God' were omitted, not through any wish to ignore the authority of God, but because no reigning house could claim an historic right that could be presented as a mission received from God. It was the representatives of the Belgian people who chose the new monarchy.

In the France of Louis-Philippe as in independent Belgium and in the England of William IV, and wherever parliaments existed, the

constitutional basis was provided by the tax-paying classes with a varying property qualification. It was an *élite* that represented the people. The working classes had no political rights and their social agitations roved among the experiments of utopian theorists like Saint-Simon, Fournier and Robert Owen, and humanitarian and practical enterprises such as working-men's fraternities, friendly societies and other educational associations which corresponded to the ideals of Mazzini, or abortive revolutionary movements to which Karl Marx gave his theoretical and practical prophetism.

Between the two wings, the liberal-conservative and the revolutionary working-class movements, the democratic current was making headway. Tocqueville, in his *Démocratie en Amérique*, sought to prove to the French bourgeoisie—which still had lively memories of the Constituent Assembly and the Directorate and which had already forebodings of the movement of the working masses—that it was possible to organise a democracy on a rational basis, without falling into anarchy or tyranny. Democracy in order to be a vital government would have to be achieved in a régime of freedom; then the rhythm of the parties, as in England, would be effectual in avoiding mob demagogy. A party cannot be improvised; it must grow gradually, gathering strength as little by little it is nourished by the aspirations, interests and needs of groups, families and currents of thought and action, which it expresses on a parliamentary and electoral political platform. Only thus can a party survive the blows of fortune, create a tradition, insert itself into the life of the liberal-democratic State. The idea of party alarmed many, who saw in it the condensation of villainous ambitions of dominion, a means of dividing the country. Abate Rosmini, who looked forward to a free Italy, wanted parties to be excluded from its ideal constitution, just as Plato wanted to exclude poets from his republic. But reality is stronger than prejudices. From political, religious and social ideals diverse currents and conflicting forces arise, which in order to express themselves in the political field have need of parties. The better these are organised the better they correspond to that organic mediation between the individual and the State that is a sociological necessity.

Modern democracy starts from an equalitarian and individualist con-

ception; the régime of liberty is based on the free expression of the popular will. The isolated individual would have no potentiality for making his needs felt; the popular will would not be able to express itself as a whole save by passing through different stages of its formation. If these are established *a priori*, mechanised, without sufficient elasticity, they do not correspond to popular mobility and may lead to violent crises. The same is true of parties when they become closed consortiums or rigid directorates. On the contrary, in the French Revolution the organised party was lacking, and instead there was the rapid and factious movement of the clubs, groups, and meetings; this could not but degenerate into anarchy and tyranny.

1848 was the historic year for revolutionary movements in Europe, in nearly every country. From 1830 onwards there had been sporadic agitations, conspiracies, revolts, showing the unrest of the peoples and the instability of governments and of monarchies. England had overcome the agitation of the middle classes, who obtained the Reform Bill with the Whig victory of 1832, and the campaign of the Chartists (1835–41), who failed to obtain the universal suffrage they demanded. But discontent was still rife among the workers, and was fed by news from the Continent. America, having separated itself from Europe, by the Monroe doctrine had signified its right and will to defend itself against possible claims upon it; at the same time the Europe of the Restoration met with its defeat. The independence of the nationalities, where it is not yet won (as in Greece) is proclaimed, willed, demanded. Where there are no constitutions, these are obtained or won by revolts. In France the monarchy falls and the democratic Second Republic is proclaimed. Everywhere the political and social movements are permeated with Romanticism. The liberal currents among Catholics assert themselves with originality of thought and moral vigour; in France, in Italy, in Germany, the best history, philosophy and poetry comes from the men of these currents. Even England has its Catholic revival, and there are similar movements among the Protestants of every country.

In the same year, 1848, international Communism asserts itself with the celebrated Manifesto drawn up by Karl Marx, in which three fundamental points are fixed, which would later form the basis of the inter-

national socialist movement—the class war as the reality and history of society; capital as the product of the labour of the many for the benefit of the privileged few; the abolition of private property as the means of eliminating class conflicts and wars between nations.

Each particular movement had its own causes. The political and social movements were not on the same plane; there was no similarity between the civil war of Spain, the insurrection of Russian Poland, the risings in the various States of Italy, the republican revolution in France. But everywhere the aspirations for liberty, national exaltation, working-class movements and romantic ideals intermingled with the various interests of the several groups and peoples, producing a whole such as to cause the enthusiasm of hope and the despair of illusion.

1848 was not and could not be resolvent; it was an eruption, an affirmation, a warning. As such it marks an unforgettable historical date, which accentuates more strongly than ever the principle of nationality and independence, the political system of freedom, the democratic aspirations of the bourgeoisie, and the social demands of the workers.

§ 50.—Among Catholics the movements based on civil and political liberties, in favour of national independence and at the same time demanding religious liberties, were followed in Rome with a mixture of favour and concern. There was then a lack of comprehensive vision of a social and historical character. Naturally concern for religious interests predominated, with the fear of introducing pernicious novelties into the traditional theories and Catholic praxis. Thus the various movements were judged in their particular individuality. The first, historically, was the Irish. The demand for religious freedom in the name of civil rights, as maintained by O'Connell, corresponded to St. Paul's *civis romanus sum*; and though Rome was inclined to grant the British Government such a right of interference in the appointment of Irish bishops that it was inaccurately termed a veto, yet she followed with increasing favour O'Connell's vigorous campaign under the motto 'God and Freedom'.

The word freedom had a different sound on the hither or farther side of the Channel, and therefore it rang with a different timbre on

the banks of the Tiber, all the more so in that local reverberations among the traditional Catholics and bishops had planes of refraction of a character quite their own. In France Lamennais, abandoning monarchic traditionalism, had revived O'Connell's watchword, making it the motto of his paper *l'Avenir*; in its pages the young Lacordaire and Montalembert were fighting their first battles in a relentless struggle against the adversaries of the Church and the adversaries of liberty. Among the latter were many of the clergy, those of Gallican tendency, bound to the traditional power, who looked askance on the July Monarchy and were therefore ill disposed towards Rome which had recognised as King one who, for them, was the usurper Louis-Philippe of Orleans; as well as the Ultramontane clergy, who were engaged in an anti-revolutionary and anti-liberal campaign, in accord with the Jesuits.

Lamennais, addressing himself to such clergy, had written: 'You tremble before liberalism. Make it Catholic and society will be reborn.' *L'Avenir* had accepted the July Monarchy, but demanded the recognition of religious freedom on the part of the Government, which was playing with Gallicanism. It therefore preferred the separation of Church and State, the abolition of all jurisdictionalist bonds, and fought the prejudicial and embarrassing alliance of the Throne with the Altar. Montalembert's formula of *a free Church and a free State* anticipated that of Cavour. The young Montalembert had asserted himself vigorously in the Senate, as a Peer of France, over the question of educational freedom, a question that had then become one of the gravest to be raised in France, as later in Belgium. His speech was one of those successes that mark a date. He had concluded: 'I shall rejoice all my life that I have been able to consecrate the first accents of my voice to demanding for my country the one liberty that can strengthen and invigorate her. And I shall rejoice equally, always, at having been able to bear witness in my youth to the God of my infancy . . .'

Rome, which had greeted with enthusiasm the emancipation of Catholics in England and Ireland in the name of liberty, which had welcomed the separation of Catholic Belgium from Protestant Holland, even through a revolution, and which yet had not approved the insurrection of the Catholic Poles against Russia, was much concerned at the *Avenir's* campaign—all the more so in that there was no lack of

complaints and remonstrances from the Paris Government and from the bishops to the Holy See, and journalistic controversy was very heated. Before then Lamennais, young and ultramontane, had been held in high consideration in Rome and his activity had been followed like that of an apostle. The subsequent liberal phase bewildered many. Father Gioacchino Ventura, philosopher, orator and political figure, already known as a liberal and in relations with Lamennais, had sent warning that in Rome the campaign for liberty seemed excessive. Under these circumstances, Lamennais' decision to go to Rome and to leave in the Pope's hands the decision whether *l'Avenir* should continue or not, was untimely and imprudent. O'Connell—as later Windthorst—avoided such appeals, which embarrass the authorities and are not favourable to bold particular enterprises, since they confuse responsibilities and embroil situations. The three 'pilgrims of liberty', Lamennais, Lacordaire and Montalembert, went to Rome in 1832 and were kindly received by Gregory XVI. They soon perceived that the Roman world was not that of Paris, and that problems were there seen in another light and under more characteristic aspects. Confidence of approval turned into fear of repudiation.

On August 15, 1832, the Pope published the encyclical *Mirari vos*, which held in substance a condemnation of the theses defended by *l'Avenir*. The act of Gregory XVI was on the traditional lines of the Catholic Church, and aimed at a general affirmation of doctrine with clear references (though without mentioning names) to the theories of Lamennais and the others, and in general to the theses of those who would later be termed Liberal Catholics. Gregory takes the idea of liberty in its negative aspect as the abolition of all bonds and checks, and applies it to Church discipline, to marriage, to the civil and political order, to relations between State and Church. He makes liberty of conscience derive from the indifferentism that will not discriminate between error and truth; hence, he adds 'the quest for an absolute and unbridled liberty'. Elsewhere he speaks of 'a liberty that dares everything', or 'the most uncontrolled liberty'. Papal documents never speak against liberty in general, but against liberty thus qualified or in some similar fashion. Gregory, even while referring to it as 'unbridled', meant the liberty that the liberals were then demanding and of which Lamen-

nais and the others were unreserved champions. Turning to these, who maintained that freedom of the Press would benefit the truth itself, which could more easily be defended and propagated if it did not encounter civil obstacles, Gregory, after calling such liberty 'the most disastrous' and 'execrable', appealed to the tradition of the early Church, to the V Lateran Council and to that of Trent, in order to reaffirm the Church's right to censor books and printed matter and prevent their diffusion.

Lamennais' other thesis, the separation of the State from the Church, is treated very decisively by the Pope. He denies that it would be useful to either, and reaffirms the necessity and duty of the closest agreement between the two, which, he says, has always been most salutary and happy for both. In an earlier passage he had reprobated the doctrines that undermine the loyalty and submission due to princes 'kindling everywhere the torches of sedition', and he had inculcated the duty of obedience to the powers established by God. 'Thus divine and human rights rise up against the men who, by the blackest manoeuvres of revolt and sedition, strive to destroy the loyalty due to princes and to overthrow them from their thrones.'

The conservative wing greeted the Pope's words with relief. The 'pilgrims of liberty', who were at Munich (the centre of the liberal-Romantic current among German Catholics), while not concealing their distress, submitted and ceased the publication of *l'Avenir*. Their adversaries were jubilant and raised a cry of victory. Unfortunately Lamennais fell away and left the Church. *Les Paroles d'un Croyant* revealed his inner tragedy, which found its chief source in a false notion of contingent problems; he inclined to transport the relative into the absolute. Lamennais believed at first that the monarchic principle would save France and society and was its foremost champion. When he saw that neither for Napoleon nor for the Restoration had such a task been possible, he turned to Rome, to the Pope of De Maistre, who would restore society from its ruins—generous ideas but of hybrid conception, so that the religious plane was confused with the political, the supernatural and mystical with the natural and realistic, with no differentiation between the inner virtue of Christianity and of the Papacy and the human acts of papal policy; hence a kind of unrealisable theocracy.

The ideal and Christian Rome clashed in him with the earthly Rome as his critical and disillusioned spirit saw it, and he forsook it. He turned to the people; democracy was his third vision. Of democracy he demanded, as Mazzini did, the palingenetic virtue that he had found neither in the monarchic principle nor in Roman policy, and he failed for the third time, asking what the human, the contingent, the historical, could never give.

The encyclical of Gregory XVI, occasioned by political events, was not inspired by contingent ideas, and in the political realm it did not contribute much to arresting the trend towards liberty. It would serve to orient Catholics towards considering such problems with the traditional outlook. As was natural, Catholics continued to be divided in the political and social field. The traditionalists became still more closely bound to the absolutist forms and the reactionary monarchies. The so-called Liberal Catholics were more cautious in speaking and writing, avoided confusing their philosophy with that of the liberals, gave better study to constitutional and social problems, and suffered in patience and humility the blows that fell on them from above—like the generous Father Ventura, then general of the Theatines, who expiated his ill-repayed friendship with Lamennais by banishment from Rome (taking refuge with the Duke of Modena) and, later, when he was recalled, was even forbidden to continue his beloved studies in philosophy; or that other great soul, Abate Rosmini, who submitted immediately to the decree of the Index, condemning his pamphlet *The Five Wounds of the Church.*

A pause, a phase of discouragement, of reflection. Events were tending towards the liberal movement. Catholics were concerned in them and it was impossible to leave the problems of religious, educational, political and social freedom in the hands of the enemies of the Church, and to remain tied down to the defence of authority. Bands of Catholic writers, historians, thinkers, politicians, contributed to the new orientation. In Italy alone with the famous names of Manzoni, Rosmini, Gioberti, Ventura, Silvio Pellico, Niccolò Tomaseo, were combined those of the historians Cesare Balbo, Cesare Cantù, Carlo Troya, Abbot Tosti, and still others. Here the problem of political unity, of independence from Austria, united with that of liberty. The current that would

be called 'Neo-Guelf' would have wished for a confederated Italy led by the Pope. Gregory XVI believed that severity would check the political movements, while Vienna kept watch that new ideas should not infiltrate into Italy and that their exponents, especially among Catholics and priests, should be firmly dealt with.

In Italy the national problem was coming to maturity, and the neo-Guelfism of the Catholics brought a potent contribution, preparing the atmosphere for the independence and unity of Italy. (It was in 1843 that Gioberti published his *Primato morale e civile degl'Italiani*, and Cesare Balbo his *Speranze d'Italia*.) In France the Catholics, led by Montalembert, were fighting for educational freedom and defending the Jesuits against the threat of fresh expulsion. The Restoration had inherited from Napoleon the system of a school monopoly organised for the benefit of the State. Mgr. Frassinous, elected Grand Master of the University, had emphasised this monopoly with the slogan 'for God and for the King'. Lamennais had come into collision with the powerful Monsignore, who sought to impose the Gallican ideas with which he was imbued. Montalembert's first speech in the House of Peers had been on freedom of education. In 1840 the Minister Villemain placed the seminaries under the strictest State control, and this irritated the bishops who protested on grounds of Canon Law. Montalembert carried the struggle into the political field, not only in regard to the seminaries but to the whole of education in schools and colleges, urging Catholics to organise and fight. In a pamphlet that had a wide resonance he wrote: 'Catholics have nothing to hope from either the Chamber or the Crown. For too long they have been in the habit of counting on everyone save on themselves . . .' And he added: 'For us Catholics who in so many modern States are in a minority, and who, even where we are in a majority, derive from it neither rights nor strength, freedom of the Press is a need of the first order. It is freedom of criticism; criticism is the lever that overthrows the walls of citadels and of prisons.'

The government and the pseudo-liberals of the July Monarchy struck back. The *Journal des Debats* wrote: 'It is true that the Charter envisages freedom of education, but the Charter has been made not for them (the Catholics) but against them.' To Montalembert, Ozanam,

Lacordaire, Froisset, Veuillot, de Parisiis, Dupanloup, who were fighting and urging the bishops to assert themselves, the hostile Press disserted on the themes of obedience, submission to the laws, respect for authority, as principles that should be inculcated by Catholics according to the papal encyclicals. And when they realised that on their lips such arguments rang false, Villemain in 1844 brought in an education bill which increased the fetters of State monopoly while an anti-clerical offensive was unloosed in the shape of legal proceedings. Montalembert replied by a powerful speech in which he adopted the motto of the Poles against Catherine II: 'We love liberty more than anything in the world, and religion more than liberty', adding, 'we do not conspire, we live in the light of the constitutional liberties and liberty is our sun, which no one shall take from us.' The anti-liberal law was passed, though not with the majority that the Government expected. Lamartine commented: 'Strange! For fifty years we have been giving liberty to everyone, God excepted!'

This conflict put the seal on what had been coming to a head since 1830, and which *l'Avenir* had advocated in an absolute form (and in this lay its mistake)—the separation of the Church of France from ties with the Monarchy. In 1838 Frederick Ozanam (the generous-hearted founder of the Conferences of St. Vincent de Paul, which have now spread all over the world, including the Mission countries) could write in a farseeing letter: 'For us Frenchmen, slaves of words as we are, a great thing has been done: the separation of the two great words that seemed inseparable, the throne and the altar.' This corresponded to a statement by Dupanloup, in a letter to the Princess Borghese (November 2, 1843): 'Gallicanism is inevitably dying; there are not eight moderate Gallican bishops in France.'

On June 16, 1846, Pius IX was elected Pope. The enthusiasm in Italy and in Europe generally was immense, and together with just hopes there was a romantic excess, due to the atmosphere of the time. The anti-religious or none too religious liberals were more enthusiastic than the rest. Guizot hailed 'Pius IX accomplishing the reconciliation of the Catholic Church with modern society.'

Assuredly, more than a little had changed in the general trend of Catholics and the Papacy. On the one hand there were those who

sought to reconcile liberty with the Church, on the other those who claimed to reconcile the Church with liberty as they conceived it. Father Ventura, who had gone to visit his family in his native Sicily and had remained there nursing a broken arm, was at once recalled to Rome and became the trusted and intimate political adviser of Pius IX. He was entrusted with the task of setting forth the Catholic ideas on liberty, and he did so in two addresses at St. Andrea della Valle, taking the occasion of a panegyric on O'Connell, on June 28 and 30, 1847. His addresses had been revised by the Pope, and could be taken as authorised ideas, though the Jesuits of the Church of the Gesù (between whom and the Theatines of the neighbouring St. Andrea there was a certain rivalry) had criticised them vigorously in a public sermon.

Father Ventura, living in a revolutionary period, emphasises a first distinction: *active resistance, no, passive resistance, yes.* The first means for him violent revolt against oppression, 'but the drama of oppression is nearly always the same. The slave becomes tyrant and the tyrant becomes slave.' The second, accompanied by what he calls *active obedience*, is, for him, resistance to laws contrary to God and conscience and at the same time the task of moral and political transformation of the State: 'Catholic teaching does not proscribe action; in forbidding forcible resistance it does not forbid protest by the paths of legality and justice...

These principles are for Father Ventura the necessary basis of liberty. He added, with a certain lyrical sweep, that it was the Church that had upheld the *metaphysical* freedom of the soul, the *domestic* freedom of woman, the *civil* freedom of the slaves and helots—'in the same way, the Church alone will be able to proclaim *political* freedom in establishing the just and veritable limits of obedience and command, the just and veritable rights, the just and veritable duties of the people and the government.' He passes on to *freedom of conscience.* In the *absolute* sense certainly it is indifferentism, impiety and the denial of divine revelation, but in the *relative* sense, 'that is to say, in regard to the civil power which has not received from God the mission of preaching and interpreting the Gospel, it is a Catholic principle which the Church has professed, has defended . . .' What then is to be said of the union of the Altar and the Throne? That it is right to think that they have collaborated for the common good and may do so again, but it would

be a grave error to think that if the throne fell the altar would have to fall with it. That would be to make the faith of the people dependent on 'the good or evil will of the prince', which would be 'to destroy the last vestige of human dignity'. He concluded: 'Let us unite love of the people with love of the Church and love of liberty with love of religion.' Father Ventura's addresses crossed the frontiers and for some years were the most authoritative utterance for the Catholics of Europe, who were then looking towards Rome in the hope of the greatest events that history had ever seen. They thought the Middle Ages were returning, in a new and gentler guise, to regenerate modern Europe.

In 1848 the Italian insurrection took place to the cry of *Viva Pio IX!* In France priests were blessing the 'trees of liberty' and the Second Republic came to birth with the participation of Catholics. In Germany it was Mgr. Ketteler who demanded liberty in the name of the Church. 'The liberalism of 1848,—so he wrote a few years later—'was a declaration of war on the old despotism born in the XVI century, which had spread over the whole of Europe. It fought loyally for the liberty of all. It had, it is true, only an imperfect idea of true liberty . . . the young liberalism of 1848 was honest enough to recognise the liberty of the Church.'[1]

The idyll of liberty and Church, as presented in the Romantic period of 1848, was soon over. The experiment of Pius IX in liberal policy was not a happy one through a series of internal and international difficulties, which could not have been met save by men of the requisite ability, with sure vision and swift decisions. The national war against Austria could not fall within the wishes of Pius IX. Nor could he compromise the rights of the Papacy to religious independence for a situation in which its sovereignty became merely nominal or might be wholly suppressed. To-day, at a distance of time, we may say that his flight to Gaeta was ill-advised, and still more so his return to Rome with a French army. Then events were precipitating, and international policy weighed heavily upon decisions. The Catholics of all countries, especially of France, were stirred by the happenings in Rome, all the more in that Pius IX in two years had become the most popular man

[1] *Das Kulturkampf* on *La Lutte Religieuse en Allemagne.*

in the world. With the changed political orientation, which follows the repression of the risings of 1848 in nearly all the capitals of Europe (save Turin), last of all including Paris, with the *coup d'état* of 1852, there comes a reconsideration of the problem of liberty and the system that had taken the name of *liberalism*.

§ 51.—What was precisely meant by liberalism, for and against which there was so fierce a fight towards the middle of the XIX century, is not easy to say; both those who supported it and those who attacked it were driven by theories, prejudices and events, to complicate its meaning. This, indeed, always happens with words that in given historical periods are coined to indicate a tendency, an ideal and a system to be achieved.

In England liberalism presented itself primarily under the economic aspect. The *Petition of Merchants* of 1820 is a kind of economic catechism. Commercial liberty is claimed in its whole range, against any and every system of the bonds and privileges, which represented a tradition still operative in all countries. Freedom was demanded not only for commerce, but in the whole economic field of production and labour. No more mixed corporations of workers and masters, nor free associations of workers, nor market prices, nor customs duties, nor protective measures: everything must be free and left to private initiative. Cobden and the Manchester School represented a necessary phase in the transition from small to big industry, from a monopolised commerce to free commerce. This the conservative opposition did not realise, and it was overwhelmed by the combative force of the early liberals; in 1846 the British Parliament voted the abolition of the Corn Duty and embarked upon the great policy of Free Trade.

Economic liberalism contained within itself its terrible adversary, the socialism of the workers, who were becoming what was later called *proletarians* in opposition to owners. The abolition of the guilds had been rendered necessary by their atrophy; they were, indeed, of a nature suited to crafts and home industries, and not to big industry. It was impossible for them to survive, given the need for economic reforms better suited to the new rhythm. But the worker, isolated in the face of the master, became a mere chattel, to be offered on the

market under the empire of competition. Low wages, long hours and night-work, abuse of female and child labour, unemployment, inadequate dwellings, crowded work-rooms, were the immediate consequences. There could not fail to be a reaction.

The liberty invoked by the masters could not be separated from the liberty invoked by the workers against the Manchester School. The worker took part in the Chartist movement, accepting for his claims the political platform offered by the People's Charter, which demanded universal suffrage and annual parliaments. Chartism was unsuccessful. The workers, in order to obtain recognition of their rights, needed to be able to combine in associations of their own on a two-fold platform, economic and political.[1] There was hence the need for a compromise between the liberal theories and State intervention—liberal, inasmuch as the workers demanded the right of free association, interventionist inasmuch as they demanded from the State legal protection against the abuses of economic liberty. In the United States of America the problem of liberal economy was complicated by that of negro slavery, which still held out against anti-slavery propaganda. The Southern States claimed for the whites the freedom to keep slaves and there were facile theorists to declare that slavery was not contrary to either natural right or Christian law. There would come a moment when, in the name of freedom, England was on the verge of entering into the conflict on behalf of the Southern States, who were putting up armed resistance against the enforcement of the Act of Abolition. Fortunately Gladstone and others understood that the principle of freedom could not be invoked for freedom to keep negroes in slavery, any more than for freedom to make British workmen work sixteen hours a day, or (as had actually been done) to force the Chinese Government to allow free trade in opium.

English liberalism was establishing itself under its economic aspect and was triumphing over various opposition, while seeking to hold its own against the ferment of the working classes and to limit State

[1]Workers' organisations were not only considered as coming under the common law on conspiracy, but had been forbidden by the series of Combination Acts of the XVIII century, and in spite of mitigations (notably by the Acts of 1822 and 1859), strictly speaking trade-unions were unlawful associations till the Acts of 1871–6.

intervention. In France liberalism was establishing itself under a political aspect, as a system of guarantees for the bourgeois class in the face of the Monarchy, as a liberation from the impositions and privileges of the Church, as a means of defence of individual interests. The right of property, with the individualistic character given it by the Napoleonic Code, was at the centre of the politico-economic conception of French liberalism; hence the limitation of the suffrage to property-holders, the iron discipline against the right of association of working men and resistance to their claims, the State monopoly of education and the ecclesiastical jurisdictionalism put forward against the movement of the Liberal Catholics and the Ultramontanes. The fall of the July Monarchy, the proclamation of the democratic Second Republic, sponsored by Catholics, universal suffrage, the working-class revolts, the election of Louis-Napoleon as president were logical consequences.

Just as economic liberalism had not an absolute character, but was merely one of the transitory and alternate phases of modern economy between private enterprise and State intervention, neither did political liberalism have an absolute character. Given the right to vote, why limit it to property-owners? Why only to men and not to women? Granted the faculty of forming political parties (which could not be prevented save by denying freedom of vote) why and how should the formation of workers' unions and parties be prevented? Economic liberalism called for the trade-union; political liberalism called for the Socialist party. So long as the bourgeoisie denied one and the other, so long did it suffer mass risings, anarchic disturbances, or else it had to renounce the benefits of freedom and seek a dictator. The *coup d'état* of 1852 in France was a bourgeois revolution, while in England the alternate government of Conservatives and Liberals followed a line of resistance and compromise in respect of the working classes.

Ethical liberalism, likewise, could not stand the test if it were conceived on absolute lines. Freedom of speech and of the press could not extend to apology for crimes that cut away the foundations of social life, to obscene and impious propaganda, to private slander and libel. The necessity for legal limits was recognised, for self-limitation could not be the conduct of all citizens nor could public education be the work of a moment. Should such laws be preventive or repressive?

Theoretical liberalism admitted only repressive legislation; the governments of the time experimented with various systems, producing a continuous succession of laws and decrees on the press. These had not always an ethical intention behind them. In most cases they had a political or partisan purpose, to guarantee the government in office or to protect the bourgeoisie against the proletariat, the conservatives against the radicals, the anti-clericals against the clericals.

Religious liberalism, too, as proclaimed by the laic State with the separation of State from Church, has never been completely and absolutely achieved. The State has assumed a laic character, and in spite of the Restoration and the successive phases of union of Throne and Altar, in spite of the maintenance of official churches, of concordats, of budgetary expenditure on public worship, the State of the XIX century has never abandoned its laic basis. The legal or *de facto* separation of State from Church has come about in particular cases for partial periods, and in several countries has had an anti-religious or anti-clerical character. In the United States a neutral and respectful separation has been accomplished and maintained, with a background of Christian ideas admitted by political men who, in general, have never either repudiated or combated their respective churches. But in the American case, separation was concomitant with the birth of the Confederation, under a régime of freedom of conscience and of worship. Moral relations between the Federal and State Governments and the various churches have always existed, contributing to the maintenance of a religious atmosphere which only the spread of philosophical positivism and practical atheism among the cultured and ruling classes has to a certain extent modified.

Historically the liberal movement in Europe of the XIX century has three features. The first is negative, directed against the system of political, economic and religious bonds that came from the *ancien régime* and had either survived the Revolution or been brought back with the Restoration. The second is positive, of a practical character: the constitutional sharing of citizens in the life of the State and the limitation and control of the sovereign power. The third is theoretical, the quest for true individual liberty in a philosophy founded on the autonomy of reason from faith and of the human personality from every external

power. Man in virtue of freedom not only acquires the habit of self-determination, overcoming the bonds that practical life imposes on him, but becomes autonomously an authority and law unto himself, for he conceives himself in universal form.

The Catholic Church, and also the other Christian Churches, relatively to the particular conditions of each, were opposed to the liberal movement, whether negative, positive or theoretical. The Catholic Church more than the others was opposed to negative liberalism because it struck at her juridical and economic structure by the laws suppressing the religious Orders, ecclesiastical courts and the legal competence of the bishops and the traditional rights regarding church endowments and the papal powers, for which she had been fighting for two centuries. She was also opposed to positive political liberalism, because it presented itself as subversive of the established order and based upon the exercise of liberties, such as those of conscience, worship and the Press, which were deemed either anti-Catholic or pernicious, or which implied philosophical and theological theories that the Church could not approve.

The experience of 1848 and in the years following, in countries where forms of liberal government remained in operation—as in Piedmont up till the unity of Italy, in France till 1852, and elsewhere, with the various vicissitudes of the time—had made Rome wary and suspicious of the liberal movement even among Catholics and of its leaders. Of these the most noted were Father Ventura (now in exile in France through the part he had played under the Roman Republic of 1849), Rosmini, on whom the Jesuits looked askance because of his philosophy and what they considered his liberalism, and Montalembert, from whom Veuillot broke away in order to follow an increasingly anti-liberal and intransigent line. It is the period when Italian liberal priests under Austria are tried and condemned to death, among them the celebrated Abate Tozzoli, Professor at the Seminary of Mantua, and Bartholomew Grazioli, Archpriest of Revere (1852–53).

Events were advancing rapidly. The liberal experiment was in operation, with all the difficulties of the hour. A part of the Catholics, while loyal to Rome, felt its necessity and the political and religious advantages to be derived from it. The nonconformists or reformers of protes-

tant countries were canalised in this movement of liberty. Many did so in order to resist the wave of anti-religion, which brought with it a movement of rationalistic origin. The year 1859, which saw the publication of Darwin's *Origin of Species*, saw also that of Mill's essay *On Liberty*.

The religious problem, which had seemed to have become negligible, to be ruled out of the political contest, again became central either as a premise or as a goal, and both for the faithful and their adversaries.

In France and Belgium it presented itself in acute form as a question of educational freedom, but one liberty never stands alone; it must form part of a system or it is not liberty. In Switzerland, where the civil war had ended in the defeat of the *Sunderbund* of the Catholic cantons and in a constitution in the unitary sense desired by the victorious radicals, this gave Catholics a motive for taking their stand on a platform of religious and cantonal liberties. The Catholics of England and Holland wanted liberty for the revival of their episcopal hierarchies, and those of Germany in order that the clergy should be empowered to supervise religious teaching in the schools, and in order that the *placet* in the appointment of bishops should be abolished and the Jesuits and Redemptorists admitted.

In Italy many Catholics took part in the movement for independence from Austria and for national unity. Neo-Guelf confederalism had collapsed; there was a desire for unification with the suppression of the separate States, and Catholics were attacked in the name of particularist legitimism on the one hand and the unitary ideal on the other. What was to them a tormenting problem was that of the Temporal Power; they recognised the Pope's right to independence yet they could not be reconciled to the idea of an Italy divided into two portions. In the meantime in the Subalpine parliament there was no lack of Catholics who, while accepting the liberal constitutional basis of the modern State, sought to restrain the anti-clericalism and anti-Catholicism developing in Italy. In both the Parliament of Turin (1848) and in that of Florence (1861–70) there were farseeing men worthy of the name of Catholic, such as Manzoni, Cantù, Balbo, Lampertico, the Sicilian Baron Vito d'Ondes Reggio, the philosopher Augusto Conti, and

others, who longed for an understanding with the Papacy to bring religious peace with a free and united Italy.

But whereas the active Catholics were few and divided, and the ecclesiastical hierarchy was mistrustful of all the forms of liberalism, the adversaries of the Church, in every country, increased in number and boldness, carrying the struggle into every field. In this the reactionary Catholics found arguments for supporting absolute powers and the use of repressive means; the others, of liberal and democratic tendency, for a more courageous action in defence and conquest of freedom. In order that there should be an understanding and common programme among the active Catholics of all countries, a congress at Malines in Belgium was promoted in August, 1863. Among those who took part was Mgr. Manning (not yet Cardinal), one of the most convinced of the higher ecclesiastics engaged in social action. The promoters wanted Montalembert to be present, although he was ill, and he went. His two speeches at Malines are comparable to the two addresses of Father Ventura in 1847. In the first he dealt with a free political régime and Catholics. 'Public life,' he said, 'that glorious appanage of adult nations, that régime of freedom and responsibility that teaches man the art of self-confidence and self-control, that is what is lacking, outside Belgium, to modern Catholics. They excel in private life, but they succumb in public life. They are trucelessly and everywhere dominated, surpassed, vanquished or fooled by their rivals, by their antagonists and oppressors, whether unbelievers or Protestants, democrats or despots.' He added further on: 'The new society, democracy, to call it by its name, exists . . . in half Europe it is already sovereign; in the other it will be so to-morrow . . . I look before me and I see nothing but democracy everywhere . . . In the new order Catholics will have to fight but will have nothing to fear.' His idea was to correct democracy by liberty and to reconcile Catholicism with democracy. Therefore in his second speech he faced the problem of liberty of conscience. He begins by rejecting as absurd and censurable the doctrine holding that 'all religions are equally true and good in themselves and that the spiritual authority of the Church is not binding in conscience'. He distinguishes between dogmatic intolerance and civil toleration: 'the one necessary to the eternal truth, the

other necessary to modern society.' For him liberty of conscience is to be vindicated not against the Church but against the State. Hence Montalembert deduced that the Church may come to an agreement with the modern State that is founded on religious liberty, and that each Catholic is free to find the modern State preferable to its predecessors.

The success of these two addresses was extraordinary, but at once an offensive was launched by the reactionary Catholics. These transferred to a strictly theoretical plane what Montalembert had proclaimed on the historical plane, and they gave a theological character to what he had asserted as political. Pius IX believed that the moment had come to give a clear guidance to Catholics, publishing the encyclical *Quanta Cura* (1864), followed by a list known as the Syllabus of eighty propositions which, citing from his earlier letters, allocutions and acts, he declared erroneous and to be condemned. The clamour aroused by the Syllabus was enormous. The opposition on the part of Liberals, Protestants and certain sections of Catholics was of exceptional range. The word 'Syllabus' became for many an object of hatred. Neither then nor later did any great number of persons read or understand the Syllabus, but they viewed it with an obscure resentment, to the point that on many occasions Catholic writers devoted to the Church have felt and feel, even to-day, the duty of exculpating Pius IX, of justifying him, of explaining the document, for among Catholics discomfort in talking of the Syllabus has not yet wholly subsided.

The eighty propositions may be divided into three categories. In the first are those contained in the first section, which concern the supernatural principles of faith, the existence of God and Providence, the constitution of the Church, with the relevant errors, pantheism, naturalism and absolute rationalism. In the same category we may place the propositions condemning errors on the spiritual power of the Church, as limited or denied by jurisdictionalism, ancient and modern. In the second category are the propositions concerned with modern errors due to Protestant infiltration, among them indifferentism, latitudinarianism, and the like. In the third category are the propositions condemning errors or erroneous statements in regard to the modern State as then theoretically conceived, on a basis of philo-

sophical theses prejudicial to the traditional rights of the Church and to the subordination of the temporal to the spiritual. In formulating the propositions there was a cautious care to maintain the condemnation on a theological plane, but in substance, besides pantheism, rationalism, naturalism and indifferentism—old errors in modern dress—there was a condemnation of the modern conception of the State and of the errors upheld in the name of what were then the vague terms of liberalism, socialism, progress, and the like, which had a different sound in different climates and environments.

Faced with the outcry of public opinion, the *Civiltà Cattolica*, the well-known Jesuit review which had been transferred from Naples to Rome after the return of Pius IX from Gaeta, and placed under the protection of the Vatican, put forward the distinction of *thesis* and *hypothesis*. This distinction was no novelty, but it had not previously been so clearly and authoritatively proclaimed. In this way, as a thesis, the conception of the modern State as an ideal to be pursued is erroneous and censurable, but if in the concrete, as an hypothesis such a State comes or has come into being, it cannot be rejected as an evil, but is to be tolerated, case by case and with the necessary reservations, with the employment of the legal means it allows for the achievement of the moral and religious good, besides the political and economic good, of the country. The terms of compromise with the modern State must not prejudice principles; therefore it is necessary to start from the *rebus sic stantibus* for the subsequent vindication of the rights of the Church in a régime of liberty. Mgr. Dupanloup, the bishop of Orleans, held fast to the distinction of thesis and hypothesis in his pamphlet *La Convention du 15 septembre et l'encyclique du 8 decembre* 1864. He examined the various articles of the Syllabus, comparing them with the context of the documents from which they were taken, in order to establish their true sense without the polemical distortions that were in vogue, and he concluded that it was the duty of Catholics, taking their stand on the *de facto* situation, to adapt themselves to the conditions of the moment and to fight with the modern arms of freedom of conscience, of the press and of the vote. Pius IX sent him a brief of approval and over 600 bishops all over the world associated themselves with his attitude.

Bishop Dupanloup's explanations of the Syllabus of Pius IX were more or less in the same spirit as those of Mgr. de Parisiis on the encyclical *Mirari vos* of Gregory XVI. But both papal documents were in substance the condemnation of the laic State which was establishing itself and would wholly supplant the old confessional State. The laic State came in the name of liberty and of democracy; the condemnation did not touch either liberty in its true sense or democracy as one of the types of State régimes, but it certainly struck at the liberal system and the democracy of the sovereign people. On the other hand, the confessional State presented itself as historically bound to the monarchic and to the authoritarian régimes. This did not mean that the Church sought to bind the two terms indissolubly together, only that she was defending them on the earthly plane in order to prevent the overflow of the anti-religious and revolutionary currents that were steadily rising. The position of those who were known as Liberal Catholics, in spite of the distinction between thesis and hypothesis, became progressively weaker, while the intransigents gained in influence and combativity, all the more so in that there was a passage from the political field to the religious field with the two questions that were now raised of the papal infallibility and the temporal power.

CHAPTER XIII

FROM THE VATICAN COUNCIL TO THE CONDEMNATION OF MODERNISM (PIUS X)

§ 52.—On June 28, 1868, Pius summoned an Oecumenical Council to meet in the Vatican on December 8, 1869. A special invitation was sent to the Eastern dissidents (Orthodox), another to all the separated Christians, i.e. the Protestants, and indirect approaches were made to the Anglicans. None of them accepted or showed any desire to be present. The German Protestants, in order to assert their own personality, held a great festival at Worms. The heads of States, or Catholic princes as they were called in the Curia, were not invited. Which heads of States could be considered Catholics and which not? Could the Emperor of Austria be invited, when with his constitutional laws he had broken the Concordat of 1855? Or Victor Emmanuel of Savoy who had annexed from the Pope the 'Legations' of Romagna and had incurred excommunication? Or Napoleon III who had not allowed the Syllabus to be published in France? Which of these and other monarchs could be considered as his own master, and did not depend on parliaments with anti-clerical majorities, opposed to the policy of the Papacy? To omit to invite them was a prudent act in view of actual conditions, and it was timely in accentuating the autonomy of the Catholic Church from the civil power, at a moment when the prevailing political doctrines denied her any original personality of her own, whether moral, legal, or supernational. This did not mean a separation of the Church from the States; it was the sign that the modern States, in their laic character, had themselves separated from the Church, in spite of the formal relations they maintained with the Roman Curia.

The various Cabinets of Europe were displeased by the calling of the Council. Prince Hohenlohe, the Bavarian Foreign Minister, pro-

posed to the other governments to make diplomatic representations to Rome. Vienna, Paris and Berlin held other views, yet indirectly all the capitals were interested in the Council and in the attitude adopted by the episcopate. Attention had been everywhere aroused by the very lively controversies both among Catholics themselves and between Catholics and Protestants, Orthodox, free-thinkers, moderate liberals, who, by a natural phenomenon, brought forward old and new problems, and these for the most part centred round the nature of the Church, her history, her centre in Rome and the Pope as her chief representative.

Three points formed the main object of studies, debates and ardent controversies—the relations between Church and State, the Papal Infallibility, the Temporal Power. The Vatican Council appeared as a protest against the rationalistic world. It gave the idea of a repetition of the challenge of Boniface VIII to the secular authorities, with the aim of inaugurating a more authoritarian theocracy than the old. There were extremists of positivism, puffed up with their science, who mocked at the grand assizes of Rome as at a dead world that only feigned to live, shadows of the past fluttering amid realities with empty gestures and meaningless words. The bitterness of this opposition revealed both hatred of a strong enemy that would have to be overcome if their own systems were to prevail, and concern lest the intransigent party should be reinforced and a new reactionary alliance effected between the Papacy and the absolute sovereigns or those who only recently and reluctantly had granted constitutions. The complete triumph of liberal ideas or socialist movements was for many bound up with a reign of science, considered irreconcilable with faith, with a progress that would find in the Church insuperable obstacles through her obscurantism and dominion over the faithful.

For the Italian Liberals or Radicals there was especial concern over the temporal power. Rome had been proclaimed capital of Italy by the Parliament of Florence in 1861. Garibaldi in 1867 had sought to seize it by armed force, but had been beaten back by the French troops defending it. The secret and semi-official missions between the Italian Government and the Vatican Secretariat of State had failed, Pius IX had pronounced a *non possumus*, proclaiming it his duty to defend the

rights of the Papacy to independence, as bound up with the existence of a territorial sovereignty. If the Council were to proclaim the absolute necessity of the Temporal Power, Italy would meet with an obstacle in the opposition of Catholics the world over, who would press their governments to defend the Papal State. Hence resentment, anxiety, bold suggestions, hatred and anger, of which the daily and periodical press became the mouthpiece. For such the fall of the temporal power would mean the final fall of the Papacy. Pius IX would be the last Pope. The Council was a call for reinforcements in order, were it possible, to avert the catastrophe. While the Protestants redoubled their attacks against Rome, recalling the questions which, they held, invalidated the supremacy and authority of the Papacy, the surviving representatives of Gallicanism and Febronianism brought back into circulation the theory of the superiority of Council to Pope, and contested the theory of a papal infallibility without or apart from the Council.

Catholic opposition was divided into two streams. The first contested the definition of papal infallibility on historico-critical grounds, the second considered a conciliar decision to be inopportune. On the other hand, the supporters of the infallibility, who were the most numerous, both among the bishops and clergy and among the faithful, were also divided into two streams—those who attributed to the Pope an infallibility in a broad sense, embracing even non-revealed and rational matters, and those who limited it to Revelation, when the Pope was speaking *ex cathedra* as 'universal doctor'. In Rome there had been no intention of calling a Council in order to bring into dispute a doctrine reputed as dogma by long tradition. Pius IX had exercised his privilege in 1854 when he had defined *ex cathedra* the dogma of the Immaculate Conception, with the assent and applause of the entire Catholic episcopate. But the opposition of the bishops of Germany and of some in France and elsewhere, among the most cultured and notable such as Dupanloup, Darboy, Strossmayer, Maret, Hefele, Ketteler, with that of writers and apologists like Döllinger, Gratry, Newman, and, among laymen, Montalembert, Lord Acton and other influential figures, made the Vatican determine to hasten definition. The Council, after approving the constitution *de fide catholica*, forsook the dis-

ciplinary questions and passed to the constitution of the Church. Events were moving fast. Napoleon was withdrawing his troops from Rome, war had broken out between Prussia and France, the Italian Government was invading certain regions of the Papal State and was preparing to seize Rome. The wearisome sessions of the commissions and of the conciliar assembly went on; on 13 July the draft constitution obtained 451 votes of *placet*, 88 of *non placet*, 63 of *placet juxta modum*, while there were 80 abstentions. In its final form the constitution *Pastor Aeternus* was voted on July 18, 1870, by 533 votes to 2. On the eve a group of 55 dissentient bishops had left in order not to take part in the voting.

In this constitution it was declared that the Council was introducing no novelty but was establishing the Catholic tradition in defining that the infallibility of the Pope is bound up with his function of supreme doctor of the Church, never with that of pontiff, judge or legislator; and that in the dogmatic decrees of the popes definitions are articles of faith only when the Pope speaks *ex cathedra* on matters of faith and morals contained in divine revelation.

Exaggerations on the one side and inconsequences and preoccupations on the other among the Catholics, and the attacks of adversaries, had brought a mental perturbation that agitated the Council itself. This took place in an atmosphere of suspicion. The minority was reduced almost to impotence through restrictive procedure, and the unwillingness of the assembly to listen to criticisms and protests. Pius IX exerted a personal influence which seemed excessive. After the Council there were schismatic attempts both in the Latin Church and in that of the Eastern Uniates, but the time for true schisms was past and the so-called Old Catholics little by little lost consistency, and remained a restricted group with Protestant leanings. It was then declared and reiterated that the definition of the papal infallibility would cut short the trend towards Rome, paralyse the action of Catholics, and widen the gulf between the Catholic Church and modern thought. Such prophecies have proved fallacious.

What the opponents of the Papacy in general and even some of the anti-infallibilist Catholics did not fully perceive was from what spiritual depths the movement rose which led up to the Vatican

Council. They saw the surface appearance, they were troubled by the human side to be found in all Councils as in any activity of the Church (religious history is made also of this human side); they were deafened by the polemics and exaggerations of the intransigents, exaggerations to which the Council itself, not intentionally but objectively, gave short shrift, when in defining the supernatural character and limits of the papal infallibility, it let drop the whole of the worldly scope they had sought to attribute to it.

In order to understand the bearings of the Council (and it is easier to do so now than then) we must bear in mind the trend towards Rome that began in France with the Revolution, struck the first blow at Gallicanism and gave occasion to the birth of Ultramontism and to the struggles to end the schism. It continued in Germany with philo-Catholic Romanticism, in Ireland with the vindication of Catholic rights, in England with the Oxford movement and the conversion of a real *élite*, the most notable being Newman and Manning who became Cardinals. At the same time the so-called Catholic Liberalism in Italy, France, Belgium, Switzerland, Germany and Spain produced men of the first order, champions above all of religious freedom. The names of Manzoni, Montalembert, Lacordaire, O'Connell, Rosmini, Ventura, Ketteler, Balmes and many others cannot be dissociated from the Catholic revival and from the idealisation of the Papacy in the minds and hearts of Catholics of the last century. Montalembert complained in the last years of his life of the exaggerations of a section of the press and of the French clergy, writing that 'of all the mysteries which the history of the Church presents in so great numbers, I know of none that equals or surpasses this so prompt and complete transformation of Catholic France into the back-yard of the ante-chamber of the Vatican' (November, 1869). He saw the excess, losing sight of the substance of the movement of liberation of the Church (especially in France) to which he himself had so potently contributed. If the French clergy went to extremes, it was because it had always done so, either on the side of monarchic authority or on that of papal authority.

With the re-establishment nearly everywhere of the Company of Jesus, the creation of new religious Orders and the renovation of the old ones, with the concordats, the reorganisation of the hierarchy, the

mission impulse, this period saw the beginnings of a true spiritual Catholic renaissance in every field. In that of education, the greatest figure is Don Bosco, and close to him, Rosmini. In that of charitable works there was the marvellous achievement of Gottolengo of Turin; under other aspects, Ozanam in Paris, and a little later Father Ludovico da Casoria in Naples. In that of culture there were the Oratorian Fathers Gratry and Capecelatro (the latter would become Cardinal); in the missions Cardinal Lavigerie, founder of the White Fathers and the White Sisters, and many others, in every domain and in every country, whom it would be superfluous to mention. At the same time there was a swarm of new feminine Orders, serving all the spiritual and material needs of mankind with a truly extraordinary spontaneousness, vigour and goodness.

This is the period of the rise of Catholic associations for the Christian training of the laity, the care of the adolescent, education, preparation for civil life, workers' assistance, the defence of dogma, of Christian morals and of the rights of the Church. This movement utilised the margins of freedom left to Catholics in the new régime, which often treated them as citizens of a lower order, or as adversaries of modern society. But this modicum of freedom, which the absolute governments had never granted, and which was enjoyed under even hostile liberal governments, was enough to create a public opinion turned towards Rome as it had never been before.

The death of Pius VI in exile, the struggle of Pius VII against Napoleon, had aroused feelings of admiration and filial piety. The popes who followed, bound as they were to the policy of the Restoration and of Vienna, were not particularly popular, but the trend towards Rome surrounded them with an aureole such as had never been the lot of the popes of the preceding century. Pius IX was the people's pope. His early liberalism aroused delirious enthusiasm. In spite of his change of route and the hatred of the revolutionaries, he remained the popular pope, the pope of pilgrimages, of great religious demonstrations, of the dogma of the Immaculate Conception. If there were excesses, on the part of Rome in acts of authority as on the part of clergies and laity in a cult of the Papacy that was denounced as 'papolatry', this was in a measure due to the personal magnetism of Pius IX and the excep-

tional circumstances of his pontificate; but more than anything else it was a reaction against the anti-papal campaign of disparagement, which found in the Syllabus, the Infallibility and the Temporal Power so many motives for a violent anti-Catholic struggle.

The fall of the Temporal Power, which followed the Council (already actually suspended through political events, and then adjourned by a bull of October 20), seemed to mark the collapse of the policy of Pius IX, humiliation on the heels of triumph. For the intransigent Catholics it struck a mortal blow at the authoritarian system of which they were the last paladins; for the French, whether Catholic or no, it was a wound to their pride; for Austria, it was a fresh anxiety; for the faithful the world over, a grief. In the presynodal schema of the Vatican Council a declaration on the Temporal Power had been introduced, but the Council had not time or opportunity to pronounce upon it. Apart from variations of form, the declaration reflected the thesis maintained by the popes from the day that such power had come under discussion: '*Ut autem romanus pontifex primatus sibi divinitus collati munus, uti par est, adimpleret, iis indigebat praesidiis quae temporum conditioni et necessitati congruerent.*'[1]

This principle then served to defend the existence of the Papal State as it was in 1870. The same principle would underly the creation of the Vatican City by the Lateran Treaty of 1929, for what formed the kernel of the declaration was the end, to which the temporal power served as means according to the varying historical conditions, i.e., '*quo romanus Pontifex . . . nulli principi subjectus, supremam . . . potestatem . . . per universum orbem plenissima libertate exercere . . . posset.*'[2]

It was natural that Pius IX, after refusing any negotiation that would imply a spontaneous cession of Rome, after refusing to accept the Law of Guarantees, should shut himself up in the Vatican as a voluntary prisoner, and should send his protest to the governments of Europe. These however, one by one, recognised the *fait accompli* while main-

[1]In order that the Roman Pontiff should be able fittingly to fulfil the office divinely entrusted to him, he had need of those safeguards that might correspond to the condition and necessity of the times.

[2]So that the Roman Pontiff . . . subject to no prince . . . may be able . . . to exercise the supreme power . . . in full liberty throughout the world.

taining diplomatic representatives at the Vatican as well as at the Quirinal, whither the King of Italy had transferred himself. The Roman people, summoned to plebiscite, voted for the union of Rome to the Italian State. The value of such acts apart, this was a legal formality, to which the general elections for the new Chamber formed a sequel. The Vatican replied by advising Catholics to abstain from presenting themselves as candidates or from voting, acts which would imply a recognition of the occupation of Rome and of the infringement of the papal rights. Thus the *non expedit*, understood and intended as a prohibition, for half a century would keep the Catholics of Italy remote from political life.

During this period, among certain sections of Catholics there had come to be an atmosphere of mysterious expectancy, as though they awaited a miracle that would restore Rome to the Pope. They counted on the structural weakness of the new kingdom, on party dissensions, on the intervention of Austria or of France, on the unforeseen, as a proof of the divine will. On the opposing side there was a cry that the Papacy was done for, that Pius IX was the last of the series, and that he died cursing modern society. Fortunately the visionaries received a solemn setback from the fact that on the death of Pius IX the conclave could freely assemble and another pope be elected, who, though remaining a prisoner in the Vatican and continuing to lay claim to the temporal power, would enjoy one of the longest and most tranquil pontificates, one of the most celebrated and, humanly speaking, one of the most glorious.

What collapsed in 1870 was not the Papacy, but a particular means of guaranteeing the independence of the Papacy, and one which was no longer suited to the 'condition and necessity of the times'—to use the terms of the presynodal declaration. The recognition of this fact could not be effected at once, nor by the men who had defended the Temporal Power against violation as a sacred right (a violation that in the minds of not a few had been desired out of hatred for the name of Catholic, and as such was celebrated in the sectarian demonstrations that ensued), nor by those others who realised the true position and had said as much before and after 1870, for not even they had been immune from the passions and prejudices of the epoch.

In a free and constitutional Europe it would have been impossible for Rome to remain absolutist like the St. Petersburg of the Czars and the Constantinople of the Sultans, also religious and political heads, constrained by their system to adopt bloody repressions and tyrannical methods. Rome from 1814 to 1870 had followed the policy of repression that had done so much harm to the Papacy. For the Pope to grant a new constitution more or less copied from that of 1848 would have been to expose himself to fresh difficulties, and probably to the necessity of withdrawing it within a short space, with what loss of prestige may be imagined. Nor could the constitution have been such as to meet the wishes of the Roman liberals, who had gained the upper hand. Moreover, the attraction of Rome towards the Italian State and of the Italian State towards Rome was undeniable. Once Venice had been regained in 1866, Rome had become the objective for most Italians. What happened in 1870, through the favourable conjuncture of the Franco-Prussian War, would have happened at the first possible moment on some other occasion. Nor could the Pope have long remained under the protection of the French army, or France have long kept up a hostile attitude towards Italy.

What seemed, and was then, a defeat little by little became a new motive for a greater sympathy towards the Papacy on the part of the Catholic world and of men of good faith in the non-Catholic world. Once the weight of the earthly principality was taken away it seemed to many as if the papal power had become, even in appearances, more spiritual. Certainly it was less concerned with affairs of State, which had rendered the Curia always circumspect and bound to the policy of the Powers and to the interests of the dominant classes. In reality, indeed, the diplomatic and political preoccupations of the Vatican have never ceased, whether they were directed to a restoration of the Temporal Power, or to the quest for terms of a conciliation, or towards ensuring, by a waiting and reserved attitude that was not all passive, that the future should not be prejudiced.

At the same time, it was to the interest of the Church to find a friendly *modus vivendi* with the new kingdom of Italy. As early as 1867 there had been a verbal and semi-official agreement prejudicial to neither party, over the appointment of the bishops who, through

previous concordats with the various States of Italy, were mostly of royal patronage. The religious Orders had been suppressed, their vows were no longer legally recognised, their goods sold. In order to regularise the position of purchasers who as such had incurred excommunication, without giving public recognition to the laws involved, the Sacra Penitenzeria made use of wide faculties for 'settlements of conscience' made case by case with the individuals concerned. A few years later the religious Orders were reconstituted without any real opposition from the government (and in some cases with its visible encouragement) as *de facto* societies, and with better chosen and surer members than not a few of the monks and friars who had been dispersed with the suppression of the religious houses. The Government created a Public Worship Fund for poor churches and supplemented the stipends of the parish priests, it may be in order to win the friendship of the lower clergy, whereas the upper clergy was for the most part hostile to the new order, save for a few such as Mgr. Calabiana, Archbishop of Milan, and the celebrated Mgr. Bonomelli, Bishop of Cremona.

There were indeed open collisions between the Italian Government and the Vatican, and anti-Catholic and anti-papal demonstrations in Rome itself, among the most notorious the attempt to desecrate the corpse of Pius IX when it was carried by night from the Vatican to S. Lorenzo outside the walls—or the other, marking the solemn inauguration of the monument to Giordano Bruno, the friar-philosopher who in 1600 had been burned as a heretic. All this notwithstanding, the new and original fact—the co-existence of two sovereigns, two courts, two diplomatic corps, in the same capital, under the aspect of an usurper and a rightful ruler, or better, of a national king and the Catholic, that is, universal pope—could last for over half a century, without causing an acute conflict, indeed with gradual adjustments so that the period of the World War could pass with only certain minor incidents. These were certainly inferior in importance to the incidents that befell the Pope during the wars of the past, whether the Napoleonic wars or the wars of the Austrian and Spanish Succession.

In compensation, freedom of association, of speech and of the press was widely used by Catholics, even with such limitations as were

imposed on them through partisan politics, which do not respect the equality of adversaries before the law. On the plane of liberty they were able little by little to regain the positions they had lost, accused as they were of being temporalists and anti-nationalists. The charge of anti-nationalism for long weighed heavy upon Italian Catholics and paralysed their work, the more so since because of the *non expedit* they could not assert themselves on the electoral and parliamentary plane, and passed as citizens of a lower order.

§ 53.—The end of the temporal power of the popes, while it meant the completion of the unity of Italy (save for the unredeemed frontier provinces), coincided with the collapse in France of the Second Empire and the advent of the Third Republic (which opened with the Commune of 1871) and with the proclamation of the German Empire. Austria, which had been the centre of the anti-liberal reaction and was reputed the bulwark of Catholicism, had been doubly stricken, with the loss of the German Confederation from her sphere of influence and with the loss of the provinces of Lombardy and Venetia and of an influence once preponderant in Italy from the Alps to Sicily.

About the same period the constitutional system was becoming general and establishing itself in Europe as in the whole of the American continent, with a progressive advance towards democracy and universal suffrage. (Disraeli's Reform Bill widening the franchise was in 1867; in Switzerland the referendum was introduced in 1866). From the Scandinavian countries to Spain the parliaments were in high honour, while the Irish were demanding Home Rule, the Poles were again in insurrection, Croats, Bohemians and Hungarians sought to vindicate their national personality within the Austrian Empire, and the Balkan countries were claiming their autonomy against Turkey.

Contemporary with the triumph of constitutional liberalism and national and democratic consolidation was the growing vigour of the working-class parties, usually calling themselves Socialist or Communist. They form two currents—the one legalistic or practical, the other revolutionary or messianic. For a certain period the extremist elements got out of control and terrorised the various countries of Europe. In the meantime there was a multiplication of practical enter-

prises such as trade-unions and co-operatives, which were already flourishing on the margins of the liberal State, while the State was beginning to embark on a policy of social intervention.

From the religious standpoint, the laicisation of the States goes on relentlessly in many directions, in spite of the fact that in most States the official Church, Catholic, Protestant or Orthodox, is still recognised by law. In France it is the moment of Gambetta's slogan: '*Le cléricalisme, voilà l'ennemi!*' For the intransigent Catholics the Republic cannot be anything but anti-religious, and the Monarchy will save France. The decisive victory of the republican party is bound up with the famous *Seize Mai* (May 16, 1877), and the fall of Marshal MacMahon (January 3, 1879). As a result there is the beginning of the secularising education bills, and the laws against the religious congregations. The same phenomenon occurs in Italy, where in 1876 the historical Left, closely connected with Freemasonry, comes into power and accentuates the anti-clerical policy in order to strike at the 'temporalism' of the clergy and faithful. In Spain the Carlism of the Catholics is fought with more or less the same weapons. Austria, after the Vatican Council, had denounced the Concordat, which had already in practice been allowed to lapse, its place being later taken by the laws of 1874, which regulated Church matters in a liberal sense; moreover, she had recognised the kingdom of Italy, an act that had aroused much ill humour among Catholics. In Belgium the Liberals were engaged in a relentless struggle against Catholics on the education question. The Latin Republics of America were alternating religious persecutions and anti-clerical struggles with favours to the Church and clergy, according to which party was in power. The prevalence of anti-clericalism came from the influence of Freemasonry.

In the Protestant countries where there were Established Churches, their relations with the State remained formally unaltered, but their importance was decreasing as gradually the working classes turned away from religion, as the State gained control of the school and secularised it, as anti-Christian propaganda invaded the family, bringing a deterioration of morals, and as culture became pagan and historical and biblical criticism tended to demolish the premises of Christianity. The Protestant churches not only put up but a feeble resistance but

were themselves invaded by a rationalistic liberalism that affected even their religious culture and weakened their structure through the continual formation of distinct sects and groups. As a diversion, they sought a fictitious stability in the struggle against Catholicism, and after the proclamation of the Papal Infallibility and the petty local schisms, like that of the Old Catholics, they found a fresh motive for polemics. In England even Gladstone indulged in an attack on the Infallibility (it is the moment when the word papism acquires an exceptional virulence), and Newman replied by a decisive confutation.

In England, the undenominational character of the State schools introduced by the Education Act of 1870 was the result of pressure from the Nonconformists, whose influence had increased with each widening of the franchise. But though the denominational schools, including those of the Wesleyans and Catholics, continued to receive State aid, they would find themselves hard put to it to meet increasing official demands, and undenominationalism would eventually turn to secularism with the decay of religious belief. In the meantime, the Catholic schools were holding their own and developing, notably through the work of Cardinal Manning, whose influence on the Primary Education Commission of 1885 would be generally recognised. His personality and his readiness to co-operate in any work for social betterment, from the Agricultural Labourers' Union to the settlement of the great dockers' strike of 1902, won him a standing in the country that of itself advanced the Catholic cause.

But while in England the restoration of the Hierarchy (in 1850) made it possible for Catholics to advance rapidly and vigorously, under the aegis of civil and political liberties, and even in Holland Catholics were able to breathe, in Germany Bismarck, victorious over France, launched an attack on the part of Protestant Germanism against Catholic Romanism, calling it a fight for culture, *Kulturkampf*. He counted on the division among Catholics caused by the definition of the Papal Infallibility and on the patriotic fanaticism aroused by the proclamation of the Empire. Instead he found himself confronted by the resistance of the episcopate and clergy, who faced persecution and imprisonment with courage and self-sacrifice, and he had also to reckon with the *Centre* and its leader Windthorst, whose generalship was such

that in the end Bismarck met his defeat. Henceforth the Catholic parties which had begun timidly, hampered on every side, and on which Rome had looked with mistrust—especially in the case of Belgium, partly because they appeared as an inconvenient third in the diplomatic relations between the Holy See and the governments and Courts of the various countries—would assert themselves as a new lay apostolate, on a platform of common liberties and the representative system. Besides the parties in Germany and Belgium, we find the Irish Party in the British Parliament, and the first attempts at parties formed by Catholics for purposes of religious defence in Austria, Holland and Switzerland, and later in France.

In the United States, after the War of Independence and the proclamation of freedom of worship by the Philadelphia Convention of 1787, the first Catholic bishop was inducted at Baltimore in 1790, and in 1808 four other bishoprics were created. The French emigrant priests gave a notable impulse to the development of Catholicism. Soon an American clergy and hierarchy were constituted, in order to avoid the hostile propaganda of Protestants on a pretext of American patriotism, then justly mistrustful of Europe. The United States represented the type of State in which there was no established church and all religions were equal. But the atmosphere was so charged with Protestant, puritan and Methodist tradition, that this was reflected in the government, characterising its spirit and legislation. This notwithstanding, the other churches were able to develop, with varying degrees of opposition, especially when in 1847 Ireland, after the famine, began her transatlantic emigration and brought to America and British Canada a true spirit of conquest. French Canada was already Catholic. It had been ceded to England by the Treaty of Paris of 1763 and the Quebec Act of the following year granted the inhabitants freedom to profess 'the religion of the Church of Rome'. In 1812 the Catholic hierarchy was recognised. In 1840 the two provinces of Canada were united and received a Parliament.

The phase to which we have so briefly referred, of the trend of civilised States and their respective positions in regard to the various churches, coincided with the development and adaptation to practical life of the prevailing philosophical conceptions, Comte's Positivism,

Hegel's Idealism, Marx's Socialism. We do not mean by this that all those who carried out political plans asked the guidance of the philosophers, but these philosophies at the same time both inspired orientations and interpreted spiritual and social positions, while departures from such philosophies marked the limits that practical life sets to theories.

Positivism, as Auguste Comte conceived it, is not only a philosophy of science but a philosophy of society. In this three factors are emphasised—the deterministic predominance of the social environment over the individual, the superiority of scientific experiment to metaphysical values and mystical intuitions, and of humanitarianism to dogmatic religion. At bottom Positivism was transforming religious dogmatism into scientific dogmatism, the determinism of grace and predestination on the Calvinist model into a sociological determinism, religious sentimentalism of the methodistic type into humanitarianism, and Catholic discipline into secular hierarchism.

The order and hierarchy of the sciences as established by Comte met with immediate criticism from the scientific standpoint and was soon outgrown from that of sociology. He made of sociology a special branch of biology, treating social phenomena as natural history, robbing the individual will of its true value, liberty of any real meaning, human history of any rational and original character. He thus presented the evolution of society as the continual biological action and reaction of the environment on the individual and of the individual on his environment, establishing its laws and framing them in the mechanism of three stages of evolution, theological, metaphysical, positive. Comte is naturally the prophet of the past, in the sense that the whole past is explained in function of his 'positive' science; the whole past is a deterministic movement towards this term, which by this very fact should be final, definitive, a completion. Therefore he could not look forward to a stage beyond the *positive*; if he had done so, he would have had to orient his science towards that term. It would be impossible to do otherwise for one who saw a necessity of development in which there was no room left for free individual initiative. According to Comte, only on the attainment of the positive stage, that is, with the elimination of all theological and metaphysical ab-

stractionism, would humanity have made true progress in the preponderance of truly human factors. The conception of the State that comes from Positivism depreciated individualism and liberty, so much extolled from the Revolution onwards, and gave entire importance to the formation of social environments, to the reinforcement of authority, to State interventionism. Comte admired Catholicism not for its dogmatism, which he believed had debased the intellect, but for its discipline, which he conceived in Jesuit fashion, so that Huxley could define Positivism as 'Catholicism minus Christianity'. It was necessary to replace the idea of God by that of Humanity. This, in Comte's mind, was the Great Being, of which we are but the transient phenomena, for in his system the world is not made up of a host of individuals each with his own free will, but is an ordered organism ruled by necessary laws.

The organisation of a ritual cult of Humanity, as envisaged by Comte, was soon laughed out of court, but the positivist idea of humanity survived, though confused with the rationalist idea of humanity which found its prophet in Victor Hugo, and with the idea of Nation, which likewise assumed the figure of a living entity, the Great Being to which human wills and endeavours must be offered in holocaust. The two streams, the humanitarian and the nationalist, were the two channels of post-Comtian Positivism, and gave their colour to the laic and national States of the second half of the XIX century. Humanity and the Nation, now one, now the other, now both together, assume the aspect of self-subsistent entities above and beyond the individual. For not a few they are a substitute for any other-worldly religious idea, and take its place in secular education. In the name of freedom of conscience religious teaching is banished from the schools, but positivist philosophy and pedagogy is put in its stead.

To the French bourgeoisie, economically flourishing, politically divided, rationalistic and laic as it was, Comte gave a conception of society and of life that could satisfy its practical aspirations and a certain need for general ideas. It was not the same for Germany, which after wavering between Kantian liberalism and Prussian statalism, had already achieved national unity and was in full tide of Germanism. Hegel was the prophet and interpreter of the new order, all the more

in that Hegelian philosophy had little by little moulded German thought and culture and was spreading in England, Italy and elsewhere as the philosophy that brought emancipation from vulgar materialism and pedestrian Positivism, then everywhere triumphant under the guise of a concrete and irrefutable scientism.

The Hegelian State is 'ethicity' itself which, becoming self-conscious, asserts itself as the supreme subject of every right and the goal of every liberty. For Hegel the Ethical is the living custom of a people when it finds historical concretion, or better, it is the mode in which a people freely and consciously expresses its national substance. The Ethical is organic; the family is the seat of the inward *ethos*, civil society of the outward *ethos* in the co-operation of Orders and Classes. Only when the Ethical becomes aware of itself does it express itself in the State, which is the ethical foundation of every other institution. The State appears last in the process of the Spirit, but it is first because it is the Spirit itself realising itself and expressing itself in its fullness.

In order to understand such a conception we must remember above all that for Hegel the Absolute Spirit is the universal subject which realises itself by dialectical process, epitomizing and carrying forward earlier realisations and manifesting itself as their principle. In a like process the inward volitive plane of the individual and the manifest and collective plane of a people are one, for in the Ethical the end of the individual concords with the end of all, and the law expresses this will. Hence the distinction between the idea of civil society and that of the State. Civil society is an element interposed between the individual and the State, a kind of fermenting material moved by an *ethos* of its own historically experienced; while the State is its ascensional culmination, sifting out what is corrupt and incongruous in society, in an ideal purification towards the absolute finalistic substance that expresses itself in the State. In such a conception, parliaments and popular assemblies are not organs of the State but organs of society, that is means for the working of brute forces, incoherent and partial wills, which the State must transform, synthesize and actualise. The Hegelian State is therefore not a contractual resultant, as in Pufendorf's jusnaturalism, nor a means for guaranteeing individual rights as in Kant's liberalism; it is the most perfect realisation of the Spirit, the

term of its process of liberation; it is immanence and totality. For according to Hegel, abstract or external law, such as contract or property, is the first grade of freedom; the second is morality as the interiorisation of law; the third is the Ethical as the free, collective, self-conscious will of the State.

What place does the Church occupy in this conception? Hegel sought to ensure the subsistence of the State-cum-Church as derived from the Lutheran conception. He declared that the spiritual content of the Church and that of the State are identical, the former in an emotional form, the latter in a rational form. State-cum-Church thus form a unity in distinction, with the prevalence of reason over sentiment. In the case of a conflict, the right of the State, that is reason, must prevail over the Church.

This philosophical, political trend, which in Hegel's mind corresponded to the position of the Prussian State, was then giving its colour to German happenings. The Empire was identified with the German idea, the term of the enterprise of unification of the *Reich*. The authoritarian system was combined with parliamentary representation and universal suffrage. The Lutheran church remained subject, as it had always been, while Catholicism was first persecuted, then tolerated. But the whole environment was more or less impregnated with the nationalist German idea. The interpreter of the more extreme current was Heinrich von Treitschke, with his *History of Germany in the XIX century*. His basic ideas are imperial centralisation, with the abolition of all the petty German States and all the remnants of the old municipalities, free cities and feudal traditions; the enforced assimilation of the Poles of Pomerania, Silesia and Danzig; legislation against the Jews, Catholics and Socialists, since these by their religious, racial and political divergencies break up and disintegrate the Reich and spoil its perfect homogeneity.

A third stream had in the meantime come to the fore and given its imprint to the greater part of the workers' movement in Europe—the Marxist stream. Socialism had had other fathers besides Marx; it had assumed various guises and various names according to period and country, from the French Revolution onwards. But Marxism was the endeavour to turn it into theory, framing it in a philosophy of history,

giving it an impulse towards the future, impelled by a prophetism that seized the masses. The historical materialism on which Karl Marx's theory rests reduces all the other social factors to a reflection of the economic factor. This alone creates the social structure. Religion, morality, culture, politics, are superstructures shaped by economic conditions. The individual is absorbed into the social, the social into the economic. Since there are individuals who exploit and others who are exploited, the class war rouses the energies of the proletariat for the conquest of economic resources; when this conquest is complete, economic equality assured, all individuals will share equally in the social undertaking and be equally subject to it. The triumph of collective economy will transform into itself the other values, which before reflected economic disparity, such as politics, to-day centred round the bourgeois State, and religion in the shape of a privileged caste, bound up with the dominion of the wealthy classes.

Three principal elements dominate the Marxist conception—a collective determinism of a materialistic character, which makes a pendant to positivist determinism of the humanitarian type; an historical conception of a dialectic type, tending towards a resolving synthesis, which is connected—while travestying it—with the Hegelian dialectic, with the difference that instead of the Spirit we find Matter; finally, the concept of equality which, from the legal and political plane to which it had been confined by liberalism, is carried to the economic plane. Hence a denial of property which is at the source of social inequalities; a denial of the class which, basing itself on property, seizes power for itself; a denial of the political power as distinct from the economic society; a denial of the Church as organism and spiritual authority, since it creates a dualism within the economico-social unity.

Positivist democracy on the lines of Comte led to the omnipotent bourgeois State; Idealist nationalism on the lines of Hegel to the omnipotent State-Nation; Socialism on the lines of Karl Marx to the omnipotent Class-State. In all three there is the stuff of the totalitarian monistic State, such as would arise after the Great War—that is, an immanent idea, into which all others are resolved, whether it be the humanitarian idea of the laic State, or the mystical idea of the Nation or the economic idea of the Class. All lead to a social levelling covering

all ranks, an accumulation of power in the hands of the heads, the elimination of the human individual from every corner of social life.

In practice events come about not through the application of theories but through experiments; the theories serve either as guiding lines or as explanations; they are never applicable in their entirety and are always challenged by other theories and other experiences. Yet the moment may come for their partial realisation, when their convinced exponents are able to impose their will on the rest and to attempt to put their programmes into practice. These will be more or less imbued with the theories to which they appeal, and in the face of the opinion of others, will express their sense and spirit. Thus it could be said that the States of the second half of the last century were either liberal or democratic or nationalistic according to the point of view from which they were considered, and it could well be said that the prevailing currents were the positivist, the idealist, and the socialist, with the variations and alternations presented by the various countries of Europe and America.

The environment was liberal because everywhere parliamentary institutions had been established and the political liberties, of conscience, worship, the Press, meeting and speech, were recognised in the constitutions. This system formed a propitious environment for the co-existence and development of the different political, economic and social currents; what was liberal was not so much the régime as the method. The prevailing parties imbued the liberal State with their ideologies, so that in different countries it was becoming either democratic, or nationalist, or imperialist or semi-socialist. Where (as in England) these currents accepted the free interplay of the parties, that is, the liberal method applied to the electoral and parliamentary contest, supporting the basic institutions, the liberal features of the State remained entire, the real transformations were slower and parliamentary oscillations from one party to another more marked. England thus passed from a narrow economic liberalism to a fair amount of State intervention of an economico-social nature; from a restricted electorate to universal suffrage, which would end by including women; while she has combined democracy at home with colonial and expansionist imperialism. The continental theories of the State have had small immediate influence on the English mentality, which is more practical

and slow to concern itself with general ideas. The political class has been formed by a long tradition and selection. Consciousness of personal individuality prevails over that of the group. Tradition wins over innovations, and formality is an aid to correct behaviour. Yet even in England the positivist, idealist and Marxist theories crept in, bringing something of a new content to the parties and weakening the aristocratic and conservative survivals, especially in the legal and economic sphere. In spite of this, given the diffusion of the liberal spirit among all classes, England better than any other country has withstood the idea that the State was to be conceived as a social totality, and the historical logic of the positivist, Hegelian or Marxist theories.

The same came about, more or less, in the United States of America, where the lack of traditions, customs and ancient and feudal characteristics was supplied by the elaboration of a tradition of their own, made up of political isolation from Europe and the knitting together of American interests, of pride in an autonomous thought and of the necessity of giving their own imprint to what reached them from across the Ocean.

The new Italy did not escape the positivist and Hegelian influence or the importation of Marxism, the less so in that she had not created any political systems of her own since the Renaissance and had been indebted to the foreigner for modern political thought. The Risorgimento had an originality through the combination of French liberalism, British parliamentarism, German Romanticism, with Italian nationalism. Its most complete expression was Count Cavour, but he remained a personality apart. The historical Right was not equal to its task; the endeavour to complete the unity of the nation exhausted its political strength. A petty bourgeois liberalism prevailed in politics and economy, with a method of government serving the dominion of this particular class and its practical aims. This explains why Italy did not have universal suffrage till 1913 (and then almost by surprise), why social legislation was delayed till after the violent workers' disturbances of 1893 and 1898, why she kept strictly to the State monopoly of education and intensified it, avoided a desirable decentralisation and intensified administrative centralisation, and, in spite of Cavour's theory of a 'free Church in a free State', perpetuated the outworn and vexatious

jurisdictionalism of the kings of Sardinia and Naples or the Grand-Duke of Tuscany, coloured by an unseasonable anti-clericalism.

In substance, nearly everywhere the idea of the State was coming to overshadow that of liberty. The latter had served to supplant the absolute monarchies—first those by divine right, then the legitimist—or while preserving them had reduced them to a constitutional type. In its turn the State, positive entity or idealist entity, political or national, was supplanting liberty. The masses who had been delirious with enthusiasm for liberty now believed more in the strength of their trade-unions and party organisations and aspired to an economic and collective State. In all three theories and in the practice guided by them, the State was assuming the character of an absolute. This does not mean that the ideals of liberty, individuality, humanity had been lost. They too lived on, inspiring perorations at election meetings and assemblies, but their vitality was already subordinate to the prevailing idea of the State, and they were darkened by the great shadow that the State cast.

§ 54.—In this environment of ideas in ferment, Leo XIII took up a position, no longer in a negative sense, like his predecessors from Pius VII to Pius IX, but in a positive sense, to establish the terms of Catholic thought and provide a practical guidance. Leo was not abandoning the traditional lines of the Church, but he was shaking off certain superstructures, breaking old fetters and clarifying old ideas by adapting them to the new situations. Above all, he inculcated the return to the study of St. Thomas Aquinas, not only in theology but also in philosophy. The encyclical *Aeterni Patris* of 1879 gave a vigorous impulse to neo-Thomism, which had already made a beginning in Italy with Sanseverino and Liberatore; Balmes had brought it to birth in Spain, and in Belgium and France there were not a few who were setting the course of ecclesiastical studies by Thomism. Neo-Thomism was then known as Scholastic Aristotelianism, and presented itself as David against Goliath, with his shepherd's sling against the giant armed from head to foot. In spite of inadequate resources and medieval phraseology, it sought out the vulnerable points of the adversary, whether in pure metaphysical speculation, or in ethics and politics.

It was not the intention of Leo XIII to deprive the Augustinian currents, Scotist and Bonaventurian, of their right of citizenship, nor did he wish philosophical, historical and scientific progress to be ignored. The return to Thomism was to be a guide, a systematisation, a starting-point of traditional thought in philosophy and theology, for all Catholic schools, in order to create a common opinion and language and thus to influence also the world of secular culture.

From that time forth the philosophical studies of Catholics, mostly ecclesiastics, made a considerable advance, both as an attempt to build up a system of thought and as criticism of adverse thought. It is true that limited as they were to a task of adaptation of a didactic nature they did not produce a thinker who could rise above the common mean and give proof of creative genius, but their work in breadth and preparation, with the teaching in the Catholic Universities and the institutes and academies kept by religious Orders, served to promote a wide revival of scholastic thought which penetrated even into zones alien to Catholicism. The philological and historical study of Scholasticism and the production of accurate editions of medieval works has done far more than the scholastic manuals and the *Summulae* of modern professors, to bring a sense of the spirit and value of the great philosophies of the Schools. To have understood this and to have traced the path, without certain exaggerations that would come after him, was the merit of Leo XIII.

The Leonine encyclicals, which form an important tryptich, are *Immortale Dei*, on the Constitution of States (1885), *Libertas praestantissimum*, on Human Liberty (1888), *Rerum Novarum*, on the Condition of the Workers (1891). The reaffirmation of the traditional teaching of the Church is so made as to give the faithful a positive guidance in modern problems and to prevent the easy excursions of thought and action into regions incompatible with Catholic doctrine.

The fundamental problem in the constitution of States is the origin of authority. The Church teaches that it comes from God. By this she does not deny that the choice of the subject invested with authority (personal or representative, monarchic or republican) may be made by the people, in accordance with the customs and constitutions of the various States. What is condemned is the theory that the authority

with which the people's choice is invested has a purely earthly origin, denying or ignoring the reference to God. The intervention of the people designates the subject of authority, but does not transmit that which is communicated by God. To this thesis, as set forth by Leo XIII, some have given the sense of a kind of mystical communication of authority from God—an interpretation which, if pleasing to the supporters of monarchy by divine right, cannot be equally so in the case of the first French republicans, or the Nazis or Bolsheviks to-day. Others, by a more human interpretation, have understood that authority, like liberty, like every other element of human social nature, is derived from God and is therefore the natural faculty and gift of those who are to exercise it. If a City-State, organised by heads of families, has determined that an assembly of these shall decide on peace and war—even though there is a president or king—no one can deny that in doing so the assembly is exercising the authority that, through the people, comes to it from God.

What Leo XIII wanted to avoid was an a-religious (laic) and amoral (utilitarian) conception of authority. It is impossible in the natural order to have a head who represents only himself or the interests of a class or caste; the head must represent all. Therefore—and here is the crucial point—no one can give what he has not got, no one can give authority over another. Leo was right in saying that without the idea of a divine authority explicating itself in a natural moral law above the will of the individuals, there will be no true authority among men, only tyranny.

A further step—the political liberties. Leo XIII is on the lines of Gregory with his *Mirari vos* and Pius IX with his *Quanta Cura*. He quotes them in order to establish the continuity of thought and to prevent his words from being taken as a variant or attenuation. Yet in half a century the historical positions had changed. In speaking of freedom of worship he insinuates the distinction to be drawn between Catholic countries and mixed countries, and mentions the theory of toleration of evil as an exercise of the virtue of prudence on the part of the civil authority. For freedom of speech and of the Press he asks those limits that will prevent their becoming licence; he denies that error should be upheld in the name of freedom of education, and asks the State for safeguarding laws. On the other hand, lamenting that such

liberties should be used to the detriment of religion and denied to the Church, he demands for her those liberties that serve the defence of truth and morality.

On the relations between Church and State, he reiterates with his habitual limpid clarity the Gelasian and Thomist theory of the two societies and the two powers. He demands that the subordination of ends, the co-ordination of means, and a concordatory understanding on mixed matters should be maintained. For all his moderation of form Leo XIII, though he does not deal either with the confessional State or with the 'indirect power' of the Church over civil society, not only does not renounce them but here and there he gives hints that allow no doubt on what had become the traditional theory. He knew well that he could not ask the liberals, positivists, freemasons, who were governing the Catholic countries, either for a return to the confessional conception of the State or for a recognition of what had been called the indirect power of the Church in temporal matters. He asked only for concord, co-operation, understandings, which even they accepted as expedients, especially in the fear of anarchist agitation and an increase of socialism. Religion for them was a means of keeping the people subject.

Leo XIII had not failed to inculcate on the masses obedience to the constituted powers and resignation rather than revolt, yet—what had not yet been done by previous popes—he insisted on the justice of certain of the workers' demands and on the necessity for a better economic system. The encyclical *Rerum Novarum* crowned the aspirations of the Social Catholics, among them two Cardinals and a bishop of European fame, Manning, Mermillod and Ketteler. He thus gave theoretical and practical basis to the movement that took the name of Christian Democracy. At the time it seemed an audacity for a pope to speak so strongly in favour of the Christian organisation of labour. His words encountered an enormous resistance from the Catholic conservatives. They were alarmed at the fervour with which the younger clergy and many of the laity flung themselves into organising workers' leagues and trade-unions, demanding just wages and building up a healthy class consciousness. The words Christian Democracy led to equivocal interpretations, both on the part of supporters and on that of

opponents. In Italy, where the *non expedit* was still in force, there was fear lest the movement should assume a political character, till Leo XIII intervened with the encyclical *Graves de communi* (1901), declaring that the Church had no political preferences for any determined form of government, and that therefore Christian Democracy should not be understood politically, but socially as action in favour of the people.

Leo XIII, certainly, did not arrest the course of events or modify the character of the modern State. He helped to orient the forces of resistance, not only of thought and propaganda but also of political and social action. He encouraged Catholics to take part in political life (except in Italy), according to the institutions of the various countries, to contribute to improving them and to making good laws, to fight in defence of the integrity of the family, for the freedom of the schools, for the safeguarding of the interests of the working classes, and for good municipal administration.

Not always nor everywhere did Leo's words gain a hearing. The resistance of the traditionalist Catholics exceeded the imprudences of the Social and progressivist Catholics. The best known and most notorious case of resistance was that of the French Catholics, to whom Leo XIII had suggested that they should accept the Republic. The few who were convinced of the necessity of the *Ralliement*, as this policy was called, who wished to carry out the Pope's words in their entirety, found themselves opposed by the greater part of the episcopate and the religious Orders, allied with the country gentry, who maintained their resistance to the Republic, dreaming of a return to the Monarchy through what they called *la politique du pire*—the hope that the greater the excesses of the Government, the more the likelihood of a speedy reaction. On such a policy of excesses the anti-clericals, freemasons and positivists who formed the government majority were frenziedly engaged, with the aim of finishing once for all with monarchic manoeuvres and the influence of bishops and religious Orders in politics.

The Dreyfus Case and the passions it aroused swept the majority of the Catholics on to the side of the General Staff. It was made not a question of justice, as it should have been, but one of the dignity of the army and the security of '*la patrie française*'. *La Croix*, run by the Assumptionist Fathers, led the relentless anti-Dreyfus campaign, pre-

senting it as a religious and patriotic crusade, and the editor, Father Auguste Bailly, went so far as to write that 'free enquiry is not permitted in these sorts of affairs'. On the other side the Dreyfusards accused the Jesuits of the school of *rue de la Poste*, from which many army officers came, of being behind the anti-semitic General Staff, which was refusing justice to an innocent man. Leo XIII did not think fit to intervene to prevent the Catholics of France from carrying on so disastrous a campaign, which was prejudicing his policy and, more than ever, the interests of the Church and religious peace. The *lois laïques*, the laws of republican defence and the denunciation of the Concordat originated in the monarchic opposition of the bishops, in the failure of the *ralliement*, and in the anti-Dreyfus and ultra-patriotic campaign of the majority of the French clergy and Catholic laity.

Pius X (1903–17) found a very serious situation in France; it was the rupture not only of diplomatic but of religious relations, a separation of the State from the Church that was no amicable separation but one of violence and strife. With his religious rectitude he was ready to sacrifice the economic structure which, facilitated by the Napoleonic Concordat, had grown up in little less than a century. He understood that it was better to retain nothing at a price of political interference and legal vexations, and to regain the apostolic freedom of a poor church.

The new Pope in the case of France saw both the failure of a policy through which the clergy, in large measure through its own fault, had been directly compromised, and the accentuation of deep cleavages in the Catholic field. Under other aspects this was happening in Italy between Catholic Conservatives and Christian Democrats. Nor were other countries immune from an increasing disquiet in all the fields of religious thought and activity. Pius feared lest Catholics instead of conquering the world for the Church would be themselves conquered by the world. The current of culture that would be qualified by the conventional and comprehensive term of *modernism* had followed too closely the rationalistic and critical trends in theology, biblical exegesis, apologetics, philosophy and history. In wishing to place themselves on the same platform as their adversaries and in adopting their methods, its exponents ended—though not all of them, by any means—by throw-

ing overboard a good deal of the scholastic construction in theology and philosophy, of traditional exegesis and of dogma.

Leo XIII had given a great impetus to historical, philosophical and biblical studies; this led to a fine crop of productions and to a breadth of criticism hitherto unprecedented. Mgr. Duchesne, Mgr. Battifol, Father Lagrange, O.P., Father Prat, S.J., and others are in the first rank of modern Catholic thought. Not all remained within the limits of traditional orthodoxy. Leo XIII shortly before his death had constituted the Pontifical Commission for Biblical Studies (1902), with the aim of avoiding the snares of rationalistic criticism. Loisy, as editor of the *Revue d'histoire et de littérature religieuse*, was already arousing concern. A few years earlier, Leo had condemned *Americanism*, which then passed as a modernism before its time. In his letter to the American Bishops, of January 22, 1899, Leo XIII summed up the new error. There were those, he said, who held that 'The Church should adapt herself more to the civilisation of a world that has reached the age of manhood and, relaxing her ancient rigour, should show herself favourable to the aspirations and theories of the modern peoples. Now this principle is extended by many not only to discipline but also to the doctrines which constitute the *deposit of faith*. They maintain, in fact, that it is opportune, in order to win the hearts of those astray, to keep silence on certain points of doctrine as being of lesser importance, or to attenuate them till they have no longer the sense to which the Church has always held.'[1]

The term *Americanism* was fashioned in France on the occasion of the French edition of the life of Father Hecker. Certain tendencies which it underlined, and which were wholly American in their spontaneity, with nothing philosophical or theological about them, were given in France, in the controversies that ensued, a heretical tinge. Leo XIII himself is careful in the letter we have quoted to declare that 'it is far from our mind to repudiate all that the modern genius has brought to birth. On the contrary, we applaud all search for truth, all effort towards the good, which may help to increase the patrimony of science and to widen the bounds of public happiness. But all this, under pain of not being of real utility, must exist and develop while taking

[1] *Testem benevolentiae.*

into account the authority and wisdom of the Church.' He goes on to sum up the points of criticism, that is, rejection of external direction of souls, attenuation of the intervention of authority for a greater individual freedom, preference given to the natural virtues, the distinction between passive and active virtues, giving preference to these last, and so on.

The American Bishops were rather surprised at the clamour in Paris and Rome and ended by making an act of homage to the Pope, assenting to his judgment. The celebrated Mgr. Ireland, Archbishop of St. Paul's, Minnesota, who believed he had been envisaged as one of the most ardent Americanists, wrote to the Pope, in his letter of February 22, 1899: 'Never for an instant did my Catholic faith and my understanding of the teachings and practices of Holy Church allow me to open my soul to such extravagances.' The word *Americanism* remained in the chronicle of the Church, but it was soon overshadowed by that of *modernism*, which indicated all the tendencies to modernise the Church in dogmatic, biblical, historical and disciplinary matters. To the modernists were opposed the so-called *integrists*, who were nothing else than the extreme wing of the Catholic reaction, which excluded all the mitigations brought by Leo XIII, and, in the political field, bound up the fortunes of the Church with those of anti-democracy and political and economic reaction that were taking shape at the beginning of the century.

Pius X certainly did not find the Church in the hands of the modernists. These were few, in every country, and formed centres of culture in the universities, seminaries, religious Orders, round scientific or historical reviews, drawing to themselves the sympathy of the younger and providing fuel for ecclesiastical polemics. But Pius X saw the danger of an infiltration of the errors characterised as modernism, and he wished to prevent their diffusion and strike at the roots. The decree *Lamentabili*, of July 3, 1905, against Loisy, the encyclical *Pascendi*, of September 2, 1907, which was dogmatic and disciplinary in character, and the *Motu Proprio* of September 1, 1910, on the anti-modernist oath, were his most significant acts. He used rigorous, even harsh methods. By a generalisation of their scope they fell also upon valuable enterprises and men profoundly devoted to the religious cause. Fear invaded

Catholic scholars, who for a certain time refrained from tackling arduous and controversial themes. It was a brusque rectification, followed by a period of stasis through a kind of law of suspicion that was everywhere diffused—till Benedict XV, as soon as he assumed the Papacy, by the encyclical *Beatissimi* (1914) had to remind scholars to observe the law of charity in their controversies, ordering that no one should arrogate to himself the role of the Church's magistracy by accusing his opponent of modernism.

The problems raised by modernism were of a cultural, critical character, seeking to orient religious thought in modern life. For the most part the modernist writers were specialists, particularly in biblical and historical research. Those who pursue a specialised and technical branch of scholarship often do not perceive all the cultural links with general trends of thought and of human life, but are affected by them, no matter whether consciously or unconsciously. It thus came about that a mixture of critical rationalism, Hegelian idealism, historical pragmatism, had filtered through into theological speculation, biblical exegesis and historical criticism, producing an amalgam with no real philosophical content or sure theological sense.

The condemnation by Pius X rapidly served to eliminate such infiltrations, which in not a few cases were only superficial, and to bring a stronger sense of theological responsibility and of scientific and critical probity. It has so happened that within a few years Catholic scholars, though rigorously controlled by authority, have succeeded in winning surer positions, on more thorough foundations. Even certain audacities to-day no longer arouse concern, although the conservative wing looks on them with suspicion, and many once unhoped-for advances have been made. This has been the case with the biblical studies of a Lagrange or a Prat, and the philosophical work of Blondel, all three once taken for modernists, a suspicion to-day impossible for anyone in good faith. The Holy See itself has made full use of the work of such scholars, as over the *Johannine Comma*, in the declaration of Holy Office of June 2, 1927.[1]

The modernist trend did not remain confined to the sphere of higher studies, as scientific and critical revision; it overflowed as a practical

[1]See *Nouvelle Revue Théologique*, Louvain, Nov., 1838, p. 1103 (note.)

movement, was carried into the contests of real life, into the internal discipline of the Church, into her political, moral, educational action.

Among all the popularising works of the time *Il Santo*, by Antonio Fogazzaro, stood out above the rest. He was already celebrated for his earlier novels, but *Il Santo* was epoch-making. He was Catholic and wished so to remain; therefore, when *Il Santo* was put on the Index, he submitted—to the scandal of the literary and liberal world in Italy and abroad. But his idea was the reform of the Church from within, not from without; a Catholic reform, not a Protestant one. He was criticising the ignorant and political priests, the intolerant clericalism of his Venetian province, the residuum of temporalism and worldliness in certain spheres of the Vatican, the frenzied hatred of modern culture. But the reformism of Fogazzaro and of others like him was too mixed up with motives of theological, biblical and historical criticism, and this created an irremediable misunderstanding and increased the concern in higher spheres.

The same suspicion extended to the movement of Christian Democracy. Don Murri in Rome had given an impression of philosophical and theological modernism by his speeches. When disciplinary measures were taken against him he wavered and ended by revolt. In France *Le Sillon*, Marc Sangnier's movement of democratic apostolate, was repudiated, and he submitted. L'Abbé Naudet, who for many years had edited the Christian Democratic paper, *La Justice Sociale*, was constrained to silence, which he kept till his death.

This transference of anti-modernist concern from the realm of sacred sciences to that of social action had two fundamental motives. The first, wholly disciplinary, came from the conception of Pius X that every Catholic undertaking should be placed under the diocesan authorities. He had therefore dissolved the organisation of Catholic Committees and Congresses (which since 1871 had directed the lay movement of resistance to statal anti-clericalism and of defence of Catholic principles), believing it too independent and secular; Catholic Action was put under the direct control of the bishops, and the debates of the Congresses were transformed into courses of instruction, later known as Social Weeks. The second motive was political. Christian Democracy had seemed in France, in Italy, in Belgium and elsewhere

to be too much in favour of the people; it had roused ideas that were qualified as socialist. The employers used to say, 'Better the Reds (the Socialists) than the Whites (the Christian Democrats)!' In France religious defence against the anti-Catholic laws had been taken up by the reactionary Right, by the monarchic, nationalist, anti-republican currents, led by Charles Maurras, then supported by bishops and prelates. Republican and democratic Catholics were cold-shouldered under suspicion of modernism. In Italy it was the same, through the progress Socialism was making among the masses and the electoral victories of the 'Union of Popular Parties', which then constituted a kind of Popular Front, uniting Democrats, Radicals and Socialists. It was then that Pius X, while maintaining the *non expedit* in principle, attenuated it by individual dispensations, to enable Catholics to vote in the parliamentary elections for the candidates favoured by the bishops; some of these were militant Catholics, foremost among them Cameroni, Bonomi, Meda and Micheli. Under the auspices of the Catholic Electoral Union an understanding was reached with Giolitti's government, and the Gentiloni Pact was agreed upon for a concentration of the forces of the Right and Liberal Centre, with the electoral support of the Catholics.

All this corresponded to the guiding idea of Pius X, of an understanding between Catholics and the moderate elements of Liberalism who were not opposed to religion, in order to face the anti-clericals and Socialists and find through practical adaptations a possibility of life in common between the Church and the modern State. To this end Catholics, while pursuing with due prudence a practical action in favour of the working classes, were to avoid exceeding in method and in pretentious demands, and to maintain themselves dependent on the episcopate in everything, even in electoral questions. This parochial idea of political life clashed with the affirmation of the centralising State in every field, arrogating to itself spiritual dominion over the school, over the physical training and sport of the young, keeping immense armies under the colours, developing economic and social monopolies, taking away all that was possible from the private initiative on which the Catholics counted. The latter had almost everywhere been reduced to negligible minorities. Where they were still in a majority, they were

weakened by divisions between conservatives and democrats and by the modernist controversies. This robbed them of the possibility of formulating a political thought of their own, which would hold its own against the three prevailing ones—the positivist, the idealist, the Marxist. The term Christian Democracy then became empty of sense and was buried in silence. The Christian Social School, after the works of Cathrein, Pesch, Pottier, Vermeersh, Antoine, Toniolo and others, produced only manuals and pamphlets of no importance. The *Theoretical Essay of Natural Law* by the Jesuit Taparelli d'Azeglio, published about 1898, remained the most authoritative and substantial book, to which men returned in Italy and elsewhere for legal and political guidance.

CHAPTER XIV

FROM THE GREAT WAR TO THE CRISIS OF THE LEAGUE OF NATIONS

§ 55.—For nearly half a century a European war, bringing the catastrophe of civilisation, had been feared; it was foretold at every diplomatic conflict, at every step towards increase in armaments. The Berlin Congress, the Triple Alliance of Germany, Austria, Italy, the Franco-Russian Alliance, the *Entente Cordiale* between Great Britain and France, the Austrian annexation of Bosnia and Herzegovina, the Morocco disputes, the Italo-Turkish War for Libya, the first and second Balkan War, Serajevo and the Austro-Serbian War, the European and World War, with the participation of Japan, China, the United States . . . The whole world (save for a few neutrals) divided into two camps, by land, sea and air . . . Four years and three months of war, the Russian Revolution, the defeat and collapse of the Central Empires and their dynasties, the economic, political and moral upheaval . . . Such is the history through which we have lived.

From the religious standpoint, in all the belligerent countries where there were differences and collisions between State and Church, efforts were made to ensure appeasement and contact, on a platform of united resistance and the moral and religious assistance of the army. This course was not immediately taken in every country. Italy took care to include in the Treaty of London of April, 1915, an article ensuring the exclusion of the Vatican from the peace negotiations, a precautionary measure desired by the Foreign Minister, Sonnino (a small-minded-man), for fear of a resurrection of the Roman Question or a humiliation of the Italian Government. The Roman Question was looked upon by Germany as a useful pawn to play against Italy. There came, however, a timely declaration from Cardinal Gasparri, to the effect

that the Holy See wished to resolve it directly with Italy and with the consent of the Italian people.

A very grave problem for the Catholic Church at that moment was the mobilisation of the clergy, both because the parishes were thus impoverished of their younger elements and because priests and friars were incorporated in the fighting forces. The conflict between Church and State over a fact so contrary to Canon Law, and esteemed as of divine law, might have been very serious and in other times would have been so. But in 1914, in the face of the laic States the matter passed off with mild protests, combined with semi-official approaches on the part of the Church and practical adjustments and mitigations on the part of certain States. Priests and friars in large numbers were drafted to the sanitary services, religious assistance to the soldiers was restored by the appointment of army bishops and chaplains, but, to a varying extent according to the country concerned, priests and religious remained as infantrymen, gunners, or airmen.

The Holy See showed a greater indulgence in tolerating that the clergies of each separate nation should take an active part in war propaganda, not only among the army in the field but also in the interior of the country to rouse the spirit of resistance. For the clergy of the Entente the thing did not present itself as morally repugnant, for the invasion of Belgium, in open violation of her neutrality and of the treaties of guarantee, gave the war a moral aspect—to drive out the aggressor and to protect the weak attacked by the strong. France never believed that she had any indirect responsibilities for the outbreak of war, and the watchword of Defence of the Fatherland for her coincided with the defence of justice and of European civilisation; there were even some who saw it as a defence of Catholicism against Lutheranism. The French Catholics and their clergy had thus obvious motives for a vigorous campaign in favour of the war.

It must not be thought that on the other side Catholics and Protestants did not find that their war was justified. Austria had sought only to inflict a just punishment on Serbia. Germany was defending herself against the menace of Russia, who had mobilised and was ready to fall upon her. She was attacking France in order not to be encircled by Russia and her ally, and was passing through a Belgium which, by a

pro-French policy, had lost her title to neutrality. Thus here too there was an appeal to morality, and Catholic bishops and Protestant pastors could maintain the rightfulness of the war and call down the blessing of God upon the Austro-German armies.

The Protestant churches, being national or local, have no *a priori* difficulty in merging their activity into that of the nation to which they belong, but the Catholic Church, through her universal character, was shaken by the profound cleavage in the appraisement of the morality of so grave an international public event as a war. The more so in that it might be said that never before in modern times had the problem of justice been openly raised, in a war in which nearly all the States of the world had taken up arms, in such measure that it was not only a war of armies but a war of whole peoples. While on both sides the bishops and clergy were declaring the justice of the war fought by their particular country, the Holy See was urged to pronounce itself and refused. Benedict XV wanted to make of the Vatican not a judge of the morality of the war, but the Good Samaritan binding up the wounds, and reserving for itself, if opportunity arose, the role of peacemaker.

We believe that Benedict's act was a prudent one, the only one possible for a pope in the conditions in which he found himself. When he was elected to the Papacy the war had already started; the factual motives which had led to the war were overwhelmed by the extension it had assumed and the human impossibility of stopping it. The Governments involved would never have accepted a judgment pronounced by the Vatican, just as they did not accept its appeals for peace. The Governments wanted the Vatican to proclaim the justice of their own cause; such a declaration would have served for propaganda, like the collective letters of the bishops of their respective countries.

The problem of the justice of the war, rising from the depths of the human conscience, showed the ripening of an unprecedented moral crisis with insufficient means for resolving it. We have noted how from the time of the French Revolution, with the passing of the right of war from the hands of the king into those of the people, the morality of a war, once reserved for the judgment of the ecclesiastical and legal advisers of the monarchs, passed to the broad daylight of debate in

assembly. The wars of the French Revolution, the first Napoleonic wars, the wars for liberty and those for nationality were believed by their promoters to be just wars, for they were confused with the popular feelings that produced them, in the name of rights to be vindicated or to be defended. The Church, through her anti-revolutionary policy, was contrary to such wars, while she favoured those promoted by the Holy Alliance for intervention to suppress revolts and restore order. The wars of 1820 to 1870 were a part of the whole revolutionary *ethos* we have considered: their morality was not brought into discussion.

The case of subsequent wars was different. The Boer War was the first of our times to raise a wave of indignation against the government of the United Kingdom, even among the English themselves, from the point of view of morality. The Spanish-American War gave a like shock to public opinion, though not so widely: the provocation was attributed to Spain—falsely, as would later transpire. This recall of public opinion to the morality of wars was encouraged by the anxiety over the continued increase in armaments, the unstable balance of Europe, the insecurity of the smaller and weaker countries, and the nationalist and imperialist spirit of the great States.

The theory of war as a natural, bio-sociological necessity, a means of conquest for the strongest, had now taken the place of the theory of war for national defence, proclaimed by the French Revolution, or war for liberty and independence, of the period of the Risorgimento. The bland, humanitarian sociology of Positivism was giving place to an evolutionist sociology founded on the struggle for life and the survival of the fittest. Frederick William Nietzsche gave it literary and philosophical expression as a revolt against the established order through the will to power. The Christian virtues, natural goodness, humanitarian aspirations are, he held, inadequate and unworthy of man; only his will to power will make him live as a man, destroying within and without all that will prove inferior in the struggle. Life in the full sense of the word is only for the superman. When this idea was transferred from the individual to the social group, it gave a basis for the theory of the higher race, the chosen people, the ethical quality of violence.

An aristocratic theory of this kind was not adapted for the masses (it

would become so after the experience of the Great War). The Socialist masses wanted peace. They thought that peace would come only in a socialist community, when the States were no longer bourgeois States, but States of a single class, that of the workers. Nor was the theory of bio-sociological war acceptable to the Christian majority in Europe, even though it had lost the habit of considering political problems and that of war in particular in Christian terms. But with the approach of the danger, and when the European War fell like a thunderbolt, the idea of morality and justice emerged from the collective conscience. All asked themselves in what measure their cause was just and moral. Defence of the motherland was certainly an instinctive and irrepressible impulse, but was this defence identifiable with that of the policy of the country? The religious authorities were asked not to resolve a doubt, but to confirm the justice of the cause. The answer came, alike for all, all were fighting for justice. Such was the moral crisis of Europe in 1914.

Could it have been otherwise? Could Catholic and Protestant bishops, once war had broken out, tell their faithful that theirs was an unjust war? If they had thought so and wished to say so, what government would have allowed it? Thus churchmen, at the moment of having to give a moral and religious answer, found themselves bound up with the powers that had prepared and launched the war, or had not known how to avert it. Their sacerdotal word could no longer be freely uttered. One of the reasons for this crisis came from the fact that the theologians and canonists of the XIX century had not brought the theory of the right of war up to date. They still considered war as the business of the monarch who, in his conscience and after hearing the advice of jurists and moralists, must judge of the justice of the war. War was still admitted as an appropriate means of defending a right when, in the judgment of the monarch himself, there was no other proportionate and decisive means. They had gone so far as to justify war for both sides if, by an invincible error, both monarchs believed in the justice of their cause.

This theory took no account of the change in the State which, once absolutist, had become constitutional, nor of the possibility of public debates on the motives of a war in parliament and in the press, nor of

the active part played by public opinion and the influence that could be exerted on it by Christian morals, upheld by citizens and clergy. Nor was it realised that in modern war, with its scientific means of destruction, with permanent armies and the possibility of mobilising the whole nation, its aspect as a means of guaranteeing a right was submerged in the more obvious and real aspect of a means of affirming power and hegemony. To this lack of intellectual preparation on the part of the Churches was added their structural weakness in the face of the modern State, through which, from the XVII century onwards, their power of resisting the enterprises of the absolute monarchies, and still more those of the popular governments of the laic States, had progressively declined. The resistance of Innocent XI to Louis XIV, and of Pius VII to Napoleon, were simply papal gestures, at a time when the local clergies were siding with Louis and with Napoleon. In the case of the Great War, when it broke out Pius X had reached the end of his life; Benedict XV found it when it had already begun. The Papacy which in the religious domain might have made an effort to impede it, at the time of the dispute between Austria and Serbia, had not the man able to divine the position and take action.[1]

Benedict XV did not fail to seek to play the part of peace-maker. He made a first appeal in 1916, but it fell on deaf ears. After not a few

[1]It is well known that Cardinal Merry del Val, then Secretary of State to Pius X, was accused of having encouraged Austria to back her ultimatum with armed force, in the course of a conversation on July 29, 1914, with the Austrian *chargé d'affaires*, Count Maurice Palffy. The two documents on which this charge is based are a telegram from Palffy to the Foreign Minister in Vienna, and a report telegraphed by Baron von Ritter, Bavarian *chargé d'affaires* at the Vatican. Recently, in the second edition of *Irredentismo senza romanticismo*, Dr. Mario Alberti, Minister Plenipotentiary of Italy, published three extracts from the unpublished Memoirs of the Cardinal, which rectify the diplomatic telegrams. In the declaration of October 22, 1923, there is the following passage, describing the diplomatic activity of the Cardinal Secretary of State: 'It is perfectly true that immediately after the horrible crime of Serajevo, I said repeatedly that Austria must be firm and that she had full right to the most solemn reparations and to safeguard her existence efficaciously. But I certainly did not use the expressions attributed to me in the text of Baron Ritter's telegram, nor did I ever express the hope that Austria would have recourse to arms. This constitutes a gloss and an interpretation that I do not admit in any way.' An identical declaration was written in the Cardinal's name on January 18, 1926, in regard to Count Palffy's document.

difficult diplomatic proceedings, which gave a certain confidence that it would be taken into consideration, on August 1, 1917, he sent a letter to the different governments, proposing the main lines of a peace plan. He wrote: 'The fundamental point must be the substitution of the moral force of Right for the material force of arms, hence a just accord of all for the simultaneous and reciprocal decrease of armaments . . . the institution of arbitration . . . sanctions to be determined against the State that might refuse either to submit international questions to arbitration, or to accept its decisions'.

The proposals of Benedict XV corresponded to what had already ripened in the consciousness of the peoples at war. He expressed them in an authoritative manner and imbued them with the character of Christian equity. The need for a permanent understanding between the peoples and for the reconstruction of a moral unity on a basis of international law, accepted and respected by all, was already felt. We have noted how, from the Reformation onwards, modern international law had been taking shape. The ideal of a permanent organisation among the States had been gaining ground. In 1849 a Peace Congress had been held in Paris, with Cobden as Vice-President and Victor Hugo as President; the latter had coined the phrase: 'The United States of Europe', looking forward to a day when disputes would be settled by international arbitration, through 'a great sovereign Senate', An effort towards an international understanding on a moral and juridical basis was later made by the Czar of Russia, in agreement with the Queen of Holland (and with the support of Leo XIII), culminating in the two Hague Conferences of 1899 and 1907. Their decisions, though timid and incomplete, marked an important beginning.

During the Great War, the idea that this might be the last war between civilised peoples, and that it would be possible with the triumph of justice and democracy to constitute a new international order, appealed to thinkers and priests, political men and leaders of mass parties. With such an idea Woodrow Wilson, President of the United States, had entered the war on the side of the *Entente* in 1917; the weight of this intervention determined the issue. By his Message of January 8, 1918, he fixed the peace-plan in Fourteen Points, completed by the Four Points of the following February. These proclaimed the

constitution of an international society and the necessity for disarmament more or less on the same lines as the proposals of Benedict XV, with the principle of the self-determination of peoples and the system of colonial mandates. All this formed the presuppositions of the armistices and peace-treaties, inasmuch as Germany, Austria and their allies had accepted the Fourteen Points in principle.

Unhappily, in the Peace Conference the representatives of the vanquished countries were not admitted. Peace was imposed, not agreed upon. Neither all Wilson's proposals nor the spirit that animated them penetrated into the treaties. Yet, in spite of many errors, the League of Nations was created 'to develop co-operation between the nations and to guarantee them peace and security'. Side by side with the League was constituted the International Labour Office, and, on another plane, the Permanent Court of International Justice at the Hague. A wave of hope and confidence in the new institution passed over the various countries, realising as it did the dreams of two and a half centuries, from the time when William Penn and Charles Irénée Chastel, Abbé de Saint-Pierre, wrote the first projects for international organisation. From the juridico-political standpoint, the constitution of the League of Nations sought to combine the sovereignty of each separate State with self-limitation through a mutual interdependence; the equality of all the States among themselves with the preponderance of the great nations; the law of the victors with a gradual understanding with the vanquished. The first steps of the new institution revealed the immense difficulties offered by so hybrid and contradictory a conception.

In all countries, after the first enthusiasms, two currents took shape in public opinion, for and against Geneva, guided by diverse and contradictory motives according to whether it was a case of the vanquished countries or the victors, of nationalist or pacifist environments. Thus two mysticisms were created, one pro-League, the other anti-League. Catholics, too, were divided for and against. Those against saw in Geneva a counter-altar to the Catholic centre, Rome—Wilson the Protestant set up against Benedict XV. This idea was nourished by resentment that Benedict's peace proposals had not been accepted by the Powers, and that the Pope had not been invited to send a representative to the assemblies of Geneva—whereas in 1899 the Czar and

the Queen of Holland, in spite of the opposition of Italy, sent a message to Leo XIII and received a reply which was read in the public assembly. Article 15 of the Treaty of London could not be applied to the League of Nations, which had not been foreseen, but the States of the *Entente* wished to observe it the more meticulously in that they already foresaw they would be unfaithful in respect of other clauses of the same Treaty.

These feelings of resentment died down with time, partly because with the first activities of the League, already forsaken by the United States and not yet completed by the admission of Germany, it was plain that a representative of the Pope would have been out of place in purely political matters, while a way of co-operation with the Papacy could be found through a papal diplomat accredited to the League. Benedict XV, in his encyclical *Pacem Dei* of May 23, 1920, declared: 'To the nations united in a league founded on the Christian law, the Church will faithfully lend her active and eager co-operation in all their undertakings inspired by justice and charity'. There was nothing in the Covenant of the League of Nations that was not inspired by criteria of justice, peace, charity, mutual help, defence of the weak, raising of the non-civilised peoples, yet there was no reference to the Christian law. This lack sprang from the conception of the laic State, which could be considered as established and unchallenged. The League of such States could not be other than laic. This did not mean that it was anti-Christian, for its ethico-juridical content not only was not contrary to the Christian law, but, as natural ethical law, corresponded to it. Therefore Benedict's offer of the active and eager co-operation of the Church is well characterised as applying to all undertakings inspired by justice and charity—both because in all human institutions (even those founded explicitly on the Christian law) there may be undertakings not inspired by justice and charity, and in order to keep the Church extraneous to strictly technical and political questions.

The lack of a religious ideal and of the official invocation of God, the Father of all men, was the original sin of the League of Nations, for it conflicted with a minimum of social religious feeling. Christians sought to make amends for this, promoting services and public prayer on the occasion of the solemn assemblies of the League. Through the

initiative of Baron de Montenach, a Swiss, Mgr. Beaupin, a Frenchman, and Marquis Alessandro Corsi, an Italian, and others, with the approval and encouragement of the Pope, the Catholic Union of International Studies was founded in 1919, to help to form a Christian juridical mentality in international problems, and to support the just attempts to bring understanding between the peoples. Other peace associations arose, either earlier or later, either promoted by Catholics, or interdenominational or neutral, on a plane of propaganda, like the League of Nations Union, which is the most widespread and the most authoritative. There have been others of a strictly pacifist character on the principle of non-resistance to evil based on conscientious objection, and yet others, like the more recent International Peace Campaign, as gradually the problems of peace returned to the front of the picture.

§56.—The Russian Revolution of 1917 had brought the triumph of the Bolsheviks and the formation of the government of the Soviets—soldiers and peasants. Till then Russia had been under an absolute and almost always tyrannical government. The attempt at a parliament, represented by the Duma, had failed. Feudal dominion weighed on the peasants. The nihilism of the anarchic, intellectual and popular currents was the counterpart to the terrorism of the government. In 1917 the people were tired of the war, which was animated by no real feeling and was led by military leaders and court dignitaries with a scornful carelessness of the combatant and with a growing indiscipline at the front and in the interior, which was a prelude to the break up. A man of genius, Lenin, profited by the favourable circumstances and the support of the enemy to overthrow the clay-footed colossus, after Kerenski had undermined its foundations. The decisive success of communism in Russia inaugurated a politico-economic experiment unique in history.

It has been summed up in the phrase *dictatorship of the proletariat*; the reality was more complex. The new State was characterised by the expropriation and collectivisation of private property; the unification of all in a single class, that of labour, and the consequent elimination of the other classes; the constitution of a single official party as an organ of reinforcement for the public powers and of mediation between government and people. At the same time, to avoid adverse reaction,

came the expulsion or execution on a large scale of the members of the old political, military, aristocratic, ecclesiastical and intellectual *élites*, who had not fled abroad. In order to create a wide basis of favourable public opinion, propaganda, support and revolutionary enterprise, the communist Third International was formed, with headquarters in Moscow, to be in fact and intent a counter-altar to the Socialist Second International of Amsterdam.

With the collapse of the Central Empires, the authoritarian systems and the aristocratic and military orders supporting them collapsed likewise. The ebullition of the masses led to the various communist, spartacist and anarchist revolts, which broke out sporadically, seeking to form provisional governments, till the Socialists and Radicals, with the support of the Catholic Social parties (the Centre in Germany, the Social Christians in Austria and in Hungary) were able to constitute more stable governments and embody in new charters the democratic principles with which they were inspired. The new States that arose from the ruins and the small States that had been enlarged, from the Baltic to the Aegean, gave themselves very broad democratic constitutions, in order to content the working masses and the soldiers returning from the front, who were in great majority socialist and believed that the hour had come to rise.

In the victorious and neutral countries the crisis of the immediate post-war period was less acute, and nearly everywhere the social institutions stood the strain. The period of the big strikes (due to the transition from a war-time economy to post-war economy) was soon left behind, in many cases through good-will on both sides, and after upheavals of varying gravity. While the socialist and ultra-democratic currents were gaining strength, those of the nationalists were acquiring fresh vigour and ex-soldiers' associations were being organised. The need was felt for an economic and political reaction at home, at the same time as men were becoming conscious of the new international trends towards a league of States.

What were known as the Catholic parties, in the countries where they already existed—in Germany, Austria, Hungary and the adjoining nations and Belgium, Holland and Switzerland—were more or less taking up a central position between Socialism and the nationalist and

bourgeois Right; in certain cases they collaborated with the Socialists in building up the new States, as in Germany with the Weimar Constitution. Before the war such parties had confined themselves to the defence of religion and morality and of the freedom of the schools, and to supporting and defending protective labour legislation and trade-unions. In the Central Empires, Germany and Austria-Hungary, all parties had had a very limited role, since the Government was extra-parliamentary. In Holland and Switzerland Catholics co-operated with the Protestants in a wise conservative policy, to the Right but socially open-minded. In Belgium for a long time the Catholics had governed alone, after winning the long battle for freedom of the schools, but the prevailing political policy was conservative of a clerical type. After the war it became incumbent on the Catholics of the various continental countries and on those of Southern Ireland to take a wider and more responsible part in public life. A reconsideration of their political conception and of their social positions became therefore imperative. It was then that the Italian Catholics, after having obtained from the Vatican the promise that the *non expedit* should be raised, formed a party with a public manifesto issued on January 18, 1919, taking the name of Italian Popular Party. This was soon followed by the foundation of the Bavarian Popular Party, the Social-Popular Party of Spain, the Czech Popular Party, the Popular-Democratic Parties of Poland and Lithuania and later the Popular-Democratic Party of France. An International Secretariat of Democratic Parties of Christian Inspiration was founded, with headquarters in Paris.

The course taken by the Popular and Christian-Social parties after the war differed from that before the war not so much through their clearer independence of the ecclesiastical hierarchy and their social programme, as through their endeavour to form their own school of political thought on the problem of the State. The Liberal Catholics of the school of Montalembert had accentuated the note of liberty, which was the problem of the day. The Christian Democrats of the school of Decourtins had emphasised social reforms. The Popular Parties put in the foreground the reform of the State. Civil and political liberties had been won and were then questioned by none. Social legislation had already started and the workers' movements were urging it

forward. The chief crisis was the institutional and functional crisis of the State, which had its repercussions on political liberties and social reforms.

In the Manifesto of the Italian Popular Party in January, 1919, it was declared: 'For a centralising State, seeking to restrict all organising powers and all civic and individual activities, we would substitute, on constitutional grounds, a State truly popular, recognising the limits of its activity, respectful of the natural centres and organisms—the family, occupational groups, townships—giving way before the rights of human personality and encouraging its initiatives'.[1] The name given to such a conception was Popularism, a name explained as follows: 'The word 'people' in the sense in which it is used in the Latin expression *Senatus Populusque Romanus*, has always been pleasing to Catholics as indicating at once the collective will and the social hierarchy, a principle of order and of classic consent in the positive sense of the word. But the word 'people' served also all the developments of demagogy and was thus rendered rather suspect. In order to indicate the popular régime it was considered preferable to use the Greek word 'democracy' which has remained current, whereas from the Middle Ages men spoke in Italy of a *popular régime*, or of *government of the people*, and other similar expressions'.[2]

Popularism is democratic, but it differs from liberal democracy in that it denies the individualist and centralising system of the State and wishes the State to be organic and decentralised. It is liberal (in the wholesome sense of the word) because it takes its stand on the civil and political liberties, which it upholds as equal for all, without party monopolies and without persecution of religion, races or classes. It is social in the sense of a radical reform of the present capitalist system, but it parts company with Socialism because it admits of private property while insisting on the social function of such property. It proclaims its Christian character because to-day there can be no ethics or civilisation other than Christian. Popularism was the antithesis of the totalitarian State. It was born in the immediate post-war period, for there were signs that the gravest crisis was that of the State, tending as it did towards totalitarian conceptions.

[1] L. Sturzo, *Italy and Fascismo*, Faber & Gwyer, 1926.
[2] L. Sturzo, '*Popularisme*,' in *Politique* (Paris) Aug. 15, 1928.

Several times in the course of the present study, in examining the character of the modern State and of its logical development into the laic State, we have had glimpses of the totalitarian State as its natural outcome. This presents itself as antithetical to the 'State of opinion' or liberal State. Historically a purely liberal State has never existed nor could exist, without a qualification which, by bringing it into the concrete, bounds it or modifies its character. It is the method of liberty that is the touchstone, whereas the data of concrete liberties may vary. Often not even the method of liberty is respected in democratic régimes, while it is abolished completely in those that are authoritarian or semi-authoritarian. Thus the ideal antithesis between the liberal and totalitarian States disappears as soon as the method of liberty ceases to function.

Russian Bolshevism, when it had become the régime of the Soviets, having gained a monopoly of power in the name of the Communist Party, having persecuted, expelled, or exterminated the other classes, parties and hostile armies, subjected the country to an iron discipline. It abolished all liberty save the arbitrary liberty of the heads of the Party, refusing it rigorously to the dissidents in the Party itself. The totalitarian State was born; it was not so called, because it wished to be the ideal Communist State. The word totalitarian applied to the State was born in Italy in 1926, four years after Fascism had come into power with the March on Rome (1922)—after it had made the experiment of a government in apparent collaboration with men of other parties (1922-24); after it had held elections with a system of a majority premium of three-quarters of the seats to the most successful party (which was naturally the Fascist Party) in 1924; when, in order to break down an opposition that was still vigorous, first all freedom of discussion and of the press was restricted (1925), then all the parties, all free and independent associations were abolished, and all non-fascist political enterprises were forbidden (1926). It was then that the principle was proclaimed: 'Nothing outside the State, nothing above the State or against the State; everything in the State and for the State'. Then the State founded on this principle was called by the Fascists and by their leader the Totalitarian State.

The establishment of this State has come about by gradual experi-

ment. It was easy to abolish political liberty, to reduce parliament to a merely decorative and formal body, to transform parliamentary elections into enforced plebiscites on lists imposed from the centre and voted upon with either yes or no, without possibility either of discussion and propaganda or of any contrary affirmation. When there is a party militia and the police includes a permanent and perfected department of political espionage, a totalitarian régime can be imposed on a country with small or no resistance; an elected Parliament may be abolished as in Italy in 1938, and replaced by a Council of Corporations nominated by the Government, and so on.

Yet, the totalitarian State demands not resignation but consent, not a sullen opposition but joyous surrender. Thus all the more interesting expressions of collective and personal life have passed into the hands of the State—youth associations, sport, wireless, the cinema, newspapers and publications of every kind, private and public schools of every grade and type. Nor is this enough. There must be a discipline of mind, will and body—the militarisation of all, from children of six to adults of fifty-six; hence two effects, the one domestic, that of complete subjection to the State, the other concerning foreign relations, through the creation of numerous and well prepared armies.

Economy is a department in which the property-owner should have freedom of initiative, while the worker must be able to vindicate his rights and defend his interests. Bolshevism suppressed the property-owner and surrogated him by the State (save for certain practical compromises). Fascism has voided a great part of economy of its private content and has interposed semi-State enterprises and State capital. Moreover, it has organised the Corporations as bureaucratic departments of the various branches of economy, under the dependence and direction of the State, for economy too is 'within the State and for the State'. The economic crisis has facilitated this subjection of private economy, through the necessity of the financial intervention of the State. The State has become shareholder, company promoter, trader, monopolist. The necessity for foreign currency led to the monopoly of exchange and later also of foreign trade. Italy has thus applied a system of State Socialism, while Russia has applied that of State collectivism or Communism.

The Communist idea has presented itself in Russia under the sign of materialism and atheism. Liberation from the chains of Czardom (of the aristocracy as maintaining the serf system, of the Church as standing for ignorance) found its motives in the two-fold aim of material prosperity and religious revolt.

The Russian Soviets sought at first to form a State Church, producing a cleavage with the Orthodox clergy who had remained in the country. At the same time they laicised the State, broke all the legal ties between the people and the Church, closed monasteries and convents, tore down religious buildings or transformed them for profane uses, and encouraged anti-religious and blasphemous propaganda. On the collapse of the attempt at a bolshevising Church, there was fierce persecution of all the clergy, religious worship was prevented, and the dechristianisation of Russia became a deliberate aim. Periods of strife have been followed by periods of more or less malevolent toleration. From time to time there is talk of freedom of worship, if there can be freedom under the dictatorships. Many prefer the secret Christian communities, which are developing underground in Soviet territories.

Russia, in encouraging the impious fanaticism of the 'Anti-God' leagues, has sought to create a Marxist 'mysticism', deifying labour, science the liberator, equalitarian collectivism, making of Lenin a myth, in the vast mausoleum in which his body lies, to attract the crowds and inspire them with pride. Communism is a motive of separation from the rest of the world, to obtain a homogeneous structure for the immense Russian empire, and to make of it a magnetic centre drawing the masses even of other countries towards the Third International of Moscow, the beacon of a new civilisation. Communist philosophy, culture, education, literature, art (however disputable) are set against those of the past and of the present, as the expression of a new civilisation of peoples. Communist propaganda in every country has served a two-fold purpose, anti-religious and political, among the masses that were becoming imbued with the mysticism of Moscow.

Other attempts at dictatorial governments, after those of Russia and Italy, have been those of Kemal Ataturk in Turkey, of Primo de Rivera in Spain, of Pilsudski in Poland, of Calles in Mexico, of Carmona and

Salazar in Portugal, of King Alexander in Jugoslavia and of Dollfuss in Austria. There were similar enterprises in Greece, Albania, Bulgaria, Lithuania, Finland; the evil spread to South America, with more or less transient phases, lacking in originality. Some of these dictatorships have collapsed, others survive, according to the phases of local politics. But where they have collapsed, giving place to representative governments, the spirit of party domination and the dictatorial tendency remains, or returns to the fore. What has been happening for the last twenty years in such States has not come about through a conception of political philosophy, but has been precisely the overthrow of political and moral values, through the use of forcible methods for the conquest of power by a party or a group or an individual—with contempt for the right of human personality and of dissident minorities; the abrogation of liberties; political, legal, administrative and moral centralisation in the State; the concentration in the hands of one or of a few of all the means capable of influencing public opinion.

The most imposing experiment is that which has taken place in Germany since 1933. The National Socialist system of dictatorship is practically similar to that of Fascism, only more marked and more brutal—a single armed party; complete State centralisation; the whole economy of the country in the hands of the State and serving the ends of the State; a permanent and general militarisation; State direction for State ends of education, culture, press, sport, cinema, theatre; the violent suppression of personal and political liberty; the reduction of every manifestation of the popular will in the form of plebiscites and elections to manipulations by Party and State in complete fusion of organs and ends; an implacable persecution against adversaries of the Party, to the point of their violent suppression (as on the night of June 30, 1934). There is no moral domain left for the individual conscience that has not been requisitioned by the State, with police and espionage corps who reach the pitch of staging crimes that have never been committed.

The differences between Germany and Italy up to the beginning of 1938 lay in the anti-semitic struggle, the racial conception and a certain religious symbolism arising from it. Nazism seeks to be a system of civilisation peculiar to the German people, expressing its essential nature and power. 'Blood and the soil', that is, the race and the land

that fosters it, the environment in which its roots are set, are at the source of this superior, unique, dominant people. This marks the intentional separation from the Christian civilisation on which is founded the spiritual unity of the West. It was Germany that promoted the first cleavage through Lutheranism which, despite the separation, preserved the bond of a Christian faith, that albeit subjective, was founded on the Bible, the holy book for all. The European community, reconstructed after Westphalia on certain ethical and political principles, on interchange of culture and solidarity of interests, received a first blow from Bismarck's policy and a second from the Great War. But then it was hoped that a common platform of democratic and international co-operation had been finally attained; Locarno and Germany's entry into the League of Nations marked a beginning. Now all this is over. Germany in order to affirm herself as such, has promoted a fresh cleavage in every field, taking her stand on a repudiation of religion, ethics and European culture, to enclose herself, by a titanic effort of self-potentialisation, within a conception of life giving her a superior personality and an unchallenged dominion throughout the world.

From this standpoint Nazism upholds a policy of differentiation from other races, the expulsion, segregation, subjection of the community of other races, especially the Jews, who are proclaimed as enemies of the German people, to be ruthlessly crushed. Eugenic systems and compulsory sterilisation are imposed in order to achieve the best selection and the most perfect physical homogeneity of the German people, as well as a characteristic education and training fitted to form a corresponding mentality. All the German peoples who are under other States must enter into a single political system, just as they form a single race and a single German soul. Hence the feverish rearmament at dizzy speed, in order that Germany may impose herself on the world, the spasmodic tension in order to gain time and distance against future enemies, a mystical titanism, like a race to death and deification.

To create such a movement it is well to have a religion interpreting, symbolising and extolling its sentiments. And therefore the symbols of the old Germanic divinities, crude as they are, have found favour

among a large band of the young; they interpret the essence of 'Germanity', which is the divinity that must be worshipped. Hence an angry and odious anti-Christian propaganda, which finds the soil prepared for it both among the masses, already moulded to materialism by Socialism and Communism, and among the intellectual *élites*, educated in scientific Positivism or in philosophical Idealism. The Germans who have remained faithful to Christianity are divided into two large bands. There are those who feel the fundamental and irremediable conflict between faith in Christ and the racial theory and, remaining faithful to the first, seek to fight as best they may against the second, or at least hold themselves spiritually aloof and face the scorn of the many and the persecutions of the Party. The others believe that it may be possible by compromises on both sides to obtain a practical reconciliation. These last falsify Christianity and racialism; they have confounded them with the idea of vindication of the rights of the Fatherland, of the greatness and political strength of Germany, of her superiority of race and culture.

Hitler on achieving power sought to break down the opposition of the Christian churches to his theories and his party. He declared that his Government would respect the two Christian Churches of the *Reich*, the Protestant and the Catholic. For the Protestant Church he sought unification by obliging all the particular churches to form the national Reich Church. He met with obstacles in men and policies. Mistrust was increased by the anti-Christian propaganda favoured by the Nazi party and by the suppression of all liberty. It would be superfluous to speak of the long disputes between the churches, the Minister of Religions, and the Reich Bishop, who has never been completely recognised. In actual fact, it cannot be said that up till to-day either a spiritual unification or an organic unification has been achieved, and in certain sections of Protestants an initial favour towards Nazism has turned into sullen religious opposition. Of the two most eminent Protestant pastors, Karl Barth has fled to Switzerland and Niemöller is in a concentration camp.

The Catholic Church had already signed four concordats with the various States of the Germany of Weimar. Hitler wanted to fuse them into one for the whole *Reich*, so as to give an impression of agreement

and sympathy between him and the Vatican. The bishops withdrew (the term used was 'suspended') the condemnations they had issued against the Nazi movement, the Centre was hastily disbanded, certain Christian trade-unions announced their support of the social policies of the new Government, the Nuncio encouraged an understanding between the Catholic leaders and the Nazis. Thus a few months later it was possible to draw up the new Concordat (1933). But neither the Protestant nor the Catholic Church has had any respite in the struggle. The denominational schools, the Catholic youth organisations, and the religious Orders have suffered persistent attacks and encroachments, while the religious Press has been either destroyed or brought into subjection. Thus the position of the Christian churches in Germany has been continually deteriorating. The present situation is one of an insidious and constant anti-Christian persecution, through the titanic self-assertion of Nazi Germanism.

§ 57.—Italian Fascism at the beginning did not aspire to universalism like Moscow, nor to racial predominance like Berlin. Italian Fascism assumed a national and political character; it would make of Italy an imperial Power. To this end it had to find a 'mysticism'—the Fascist State, national and imperial, as the end, with every other idea and activity, whatever its nature, as means to this end. And the Catholic religion and the Papacy? Logically, in the proud idealisation of the Fascist State, they too would be means to the end. This would have been no novelty; religion as an instrument of government—*instrumentum regni*—is an ancient idea, revived from age to age. Fascism, having made of the State an ethical totality, (we should say a pantheistic State), sought in every way possible to bring the Church within it, yet without sacrifice of its laic character. This was the unilateral and paradoxical compromise of Fascism. To prevent the Church from opposing and contradicting it, at the bottom of the Fascist mind (and sometimes rising to the surface) lies the tacit and understood threat of a relentless struggle. And since Fascism has little by little succeeded in capturing all the nerve-centres of public and private life and in imposing upon the Italians a discipline made up of fear and subjection among the tepid, of enthusiasm among its adherents, it has worked in the same

way upon the clergy, granting them favours to win their allegiance and at the same time setting the Ovra to keep watch on them.

We have qualified this compromise as unilateral, for here there could be no compromise on the part of the Papacy or of the Italian episcopate and the organised faithful, such as those of Catholic Action and the parish or general associations. Hence a subtle duel, wholly Italian, carried on through partial compromises made with reservations, unexpressed *sous-entendus* clear enough to the initiated, general and involved declarations that yet succeeded in hitting the mark, sullen conflicts, periods of truce and apparent friendship, mutual eulogies, generous gifts and grave losses on the part of either side. The Papacy is accustomed both to open strife and to patient construction, to long waiting, and to the gaining of real advantages at the cost of apparent losses. Having withstood nearly two thousand years it is free from any fear of irreparable losses or total disasters. And for this reason its position in regard to Fascism is of extreme interest more in relation to Fascism than in relation to the Papacy.

The problem of greatest concern to the Papacy on the advent of Fascism was the solution of the Roman Question, and the settlement by means of a concordat of the juridical and economic relations between the Church and the Italian State. There was a wish to seize the occasion of an authoritarian and personal government in order to cut short any opposition from Italian public opinion, which had been nourished by anti-Vatican prejudices and reared in the fear of clericalism. At the same time the need was felt for a speedy contractual settlement of the various questions that had come to the fore in half a century, in the face of a totalitarian State without limit or check, which had suppressed every form of civil and political liberty. The Papacy and the Episcopate no longer possessed the means which from 1860 onwards they had used to defend themselves and the rights of the Church and faithful, and to uphold Christian principles openly, whether against private individuals or against Parliament and Government.

The task of Pius XI was facilitated by events, but he brought to it also a resolute will to overcome all obstacles. In his Cardinal Secretary of State he had an ideal collaborator—Cardinal Gasparri had drawn up a plan for a solution of the Roman Question during the war, he had

entered into semi-official negotiations with the two Prime Ministers, Orlando and Nitti, immediately after the war, and he was a man of vast legal culture and diplomatic ability. No sooner had the war ended than Benedict XV lifted the ban against receiving in the Vatican the heads of Catholic States (historically so reputed) when they visited the Quirinal. He also abolished the *non expedit*, which had prevented Italian Catholics from taking part in political life. These were significant gestures, but the Liberal-Democratic governments feared to commit themselves, although they believed that the time was ripe for an understanding with the Papacy. Pius XI, on his election (February, 1922), wished to revive the custom, suspended since 1870, of blessing the crowd from the Vatican *loggia*; this had been received with great favour by general opinion. In June, 1921, Benito Mussolini, then a Deputy, in addressing the Chamber had used the following words: 'If the Vatican finally renounces its temporal dreams, profane and laic Italy would furnish the Vatican with the material aids, the material facilities, for schools, churches, hospitals and so forth, that a profane power disposes of. For the development of Catholicism in the world, the increase of the 400 million men who in all parts of the earth look towards Rome, is a matter of interest and pride also for us, who are Italians.' This 'profane' and broad vision could well be contrasted with the jurisdictionalist and petty outlook of the Liberal governments towards the Papacy, of which the last example had been Article 15 of the Treaty of London. Mussolini, who in 1919 had set in his programme the abolition of the State fund for religious worship and other anti-clerical proposals, in 1921 wished to leap the ditch, on condition of a decisive renouncement of 'temporal dreams'. Leo XIII had been too taken up with the events of the fall of the Temporal Power to agree to a solution implying such renunciation, but from Pius X onwards 'temporal dreams' had been out of date. Pius XI in his first encyclical of December 23, 1922, protested 'against such a condition of affairs, not through vain and earthly ambition, for which we should blush, but by a pure debt of conscience, for the nature of the Church demands that the Holy See should be and appear independent and free of every human authority or law, even a law proclaiming guarantees'.

For four years, from the March on Rome (October, 1922) to the

end of 1926, there was no more talk of the Roman Question. They were the years when the Fascist régime was consolidating itself against the opposition of the Socialists, Populars and a fraction of Liberal-Democrats—the years of the murder of nineteen working men in Turin, believed to be Communists, of the new electoral law, of the establishment of the Fascist Militia as a State force, of the murder of Matteotti, of the Aventine secession, of the suppression of freedom of assembly and of the Press, of the disbanding of all parties and the proclamation of the totalitarian State. The secret negotiations between Mussolini and the Vatican, through jurists of either party, lasted about three years. The secret was kept even from the Cardinals of the Curia, till the result was assured. The Lateran Treaty was signed on February 11, 1929.

The terms of the treaty are well known. The Vatican wished for a territorial zone over which to assert effective sovereignty, for according to the juridical criteria prevailing in the Curia, sovereignty could not be dissociated from territory, nor could the complete freedom and independence of the Holy See be assured without sovereignty. The Vatican zone, cut off from the territory of the kingdom of Italy, was declared an independent City State under the sovereignty of the Pope; a symbolic State rather than a real one and a city *sui generis*, in which the will of the carefully numbered citizens is merged into that of the Pope, at once sovereign and the one true citizen. All the measures of civil, administrative, fiscal and criminal law of such a city are necessarily adapted to the fact that the Vatican is an enclosed space within Rome the capital of Italy, and that its material and civil life depends on the good relations between the Vatican and Italy. The real and visible liberty and independence of the Holy See, vindicated by Pius XI, is substantially juridical, and such is the situation resulting from the treaty. It is not political, for it is not a case of a State in the true sense of the word, in which there is a people asserting its political personality on an adequate and guaranteed territory. Nor is it international, for there is no title to recognition and guarantee on the part of other nations.

Such conditions called for a permanent moral factor to integrate the strictly juridical character of the new position of the Papacy. It was for this reason that Pius XI made it a *sine qua non* condition that a concordat

should be signed ensuring Catholic influence in the Kingdom of Italy. The chief provisions of the Concordat concern the matrimonial system (the suppression of civil marriage for Catholics, ecclesiastical jurisdiction in respect of the marriage-bond, prohibition to introduce divorce); religious teaching in the schools; religious assistance in the army, navy and airforce, in the militia and pre-military organisations; freedom of education and recognition of the Catholic institutions including the University of Milan; recognition of Catholic Action; reorganisation of Church endowments and the budget of public worship; abolition of the old jurisdictionalist rights of control, such as the *placet*, the *exequatur*, and the special taxes on benefices; recognition of the religious Orders as corporate bodies and of the civil validity of their vows; abolition of the right of patronage and regulation of the appointment of bishops and parish priests, through agreement between the religious and civil authorities, with the introduction of an oath of loyalty to the State to be taken by the bishops.

The Vatican sought to give the Italian State a Catholic character, in order to guarantee that the Catholic religion should be genuinely and not only nominally the State religion. Yet, while the terms of the Concordat are of a prevalently confessional character, the spirit of the Fascist State remained unaltered, and its leader sought with shrewdness and audacity to disparage the confessionalism celebrated by the Catholic Press throughout the world, which extolled the new Constantine who had given peace to the Church. This he did in his speech to the Chamber of Deputies the following May, when he proclaimed the role of Rome and of the Roman Empire, saying that 'This religion was born in Palestine. In Rome only did it become Catholic. Confined to Palestine, very probably it would have known the fate of so many sects that have blossomed in an incandescent atmosphere, like the Essenes. It would have eclipsed itself without leaving a trace.'

Fascist resentment showed itself openly against the Catholic Youth organisation, which was assuming an exceptional development and was attracting the sympathy and attention of many. Its public manifestations, processions, pilgrimages, festivals were always thronged, and there was a fear that families might prefer to send their sons to the Catholics rather than to the Fascists. A collision was inevitable. From

March, 1931, onwards there were armed attacks on Catholic clubs, frenzied demands in the Press that these should be closed down, assaults on processions and on the faithful coming out of church, while young men were wounded, priests molested, banners torn to pieces, through the length and breadth of Italy, as though in obedience to a word of command. The solemn and imposing commemoration of the anniversary of the Leonine encyclical *Rerum Novarum*, in which many foreign delegations took part, when Pius XI promulgated his complementary encyclical, *Quadragesimo Anno* (the two together forming the Code of Catholic social teaching), gave the impression to the Fascist leaders that they would have to strike at the roots to prevent a recrudescence of Catholic forces which might be perilous for a totalitarian State. The Catholic clubs were closed, their equipment sequestrated, and it was forbidden to reopen them.

The Pope then wrote his famous encyclical: *Non abbiamo bisogno*, of June 29, 1931. Fearing that its publication in Italy would be prevented and that the Italian police would seize the copies of the *Osservatore Romano* dedicated to it, he sent special messengers abroad carrying translations in various languages, to be published simultaneously with the official Italian text. In this encyclical Pius XI openly condemns the Fascist theory of the State as the end of the individual, deplores the ill-treatment of the Catholic youth organisation and defends it from the charge of seeking to engage in politics; he recognises the distressing position of the faithful forced to take the Fascist oath, and declares authoritatively that such an oath can be tolerated only on condition that each individual in taking it shall do so with the intent of reserving the rights of God and of conscience—a reservation that must be openly expressed if necessity arises, to remove any ambiguity of profession of faith and respect of Catholic morality. The dispute lasted another three months, till through the offices of the Jesuit, Father Tacchi-Venturi, it was possible to establish the terms of an agreement between the Vatican and the Fascist government. Through this the Government undertook to allow the Catholic clubs to be reopened and to hand over the equipment sequestrated, and not to oppose the activity of Catholic Action in general and the youth movement in particular. The Vatican modified the national character of these organisations and accentuated their

diocesan character; it consented that they should have no banner save the national flag, and that processions and public demonstrations should be avoided, in order to remove the impression of any wish to compete with the Fascist Youth organisations.

The episode, even though closed, served to mark the dualistic positions of the two powers and to dissipate the illusion, naïvely cultivated by not a few, that Fascism could be made Catholic. Mussolini took good care not to do what he had outlined in his speech of 1921, fearing lest a Catholic Rome might overshadow his dream of greatness. For the Vatican to hold a corner of Rome could be tolerated, but the new Rome was to be the Fascist Rome. He thus continued the tradition of the Third Rome from 1870 onwards, with the difference that the Liberal Rome measured the cost, being bourgeois, while Fascist Rome does not measure the cost, being imperial. In both we may discern the same resolute will to outshine the Vatican, which, whether adverse or amicable, casts a shadow not so much in the outside world by a spectacular and worldly grandeur, as in the antithetical conception that it represents in its permanent Christian affirmation, expressed even in its silence.

History will say whether the solution given to the Roman Question on February 11, 1929, could long withstand the fundamental dualism between the totalitarian State, whatever it be, and the Papacy. When the first conflict broke out Pius XI had to declare that Treaty and Concordat were so interlinked that they would stand or fall together. For the Concordat has to create that moral environment, in the public profession of the Christian faith, that will render the Vatican and the kingdom of Italy morally in harmony, just as they are materially contiguous. The breach of the Concordat would be implicitly and morally, if not legally, a breach of the Treaty.

What, however, would be the consequences if both collapsed, from the standpoint of the Roman Question? Not a return to the *status quo ante*, that is, to the Law of Guarantees, for this was never accepted by the Vatican and had already been unconditionally abrogated by Italy. Nor a return to the positions of the two powers at the moment of the breach of the Porta Pia, for by the Lateran Treaty the Pope definitely and irrevocably declared 'the Roman Question settled and therefore

eliminated', and recognised 'the Kingdom of Italy under the dynasty of the House of Savoy with Rome as capital of the Italian State'.

The denunciation of the Concordat by either party would juridically call for revision in view of a fresh agreement, and morally for a reconsideration of all the relations between the Papacy and Italy. Apart from an amicable revision for a fresh general understanding between them, they would have nothing in common. The Vatican, justly, takes its stand on the divine right to pontifical freedom and independence, to which correspond both an historical right to territorial sovereignty and positive international usage. This recognises to the Pope the character of a subject of international public law, not through the Italian laws (Laws of Guarantees or laws ratifying the Lateran Treaty), but by the traditional consent of the nations, which maintain with the Pope, whether he have a real State or no, the diplomatic relations of one sovereign to another, and on occasion draw up treaties, concordats or a *modus vivendi* with him. Italy could not deny this adamantine basis of the papal right, but in transforming it into a treaty she did not wish to give it any other character than that of a bilateral contract, based, for her part, on her national right, to the exclusion of any international recognition or guarantees. Since Italian national right comes from the popular will to constitute a unitary State embracing the whole territory of the peninsula, thus the separation of the Vatican City from State territory had to be approved by laws of the State and ratified by a form of plebiscite. Such was the significance given to the parliamentary elections of March 24, 1929, with the open assent of Catholic Action and of the clergy, who urged the faithful to take part by voting in favour. The plebiscite of March 24, 1929, corrected or completed, according to the various opinions, that of October 2, 1870.

From the sociological point of view, such plebiscites, for the most part un-free or at least not allowing sufficient liberty for an adverse vote, are never the real expression of the collective will, but merely justificatory titles for those régimes that set the origin of their right in the people, or demand recognition of it from the people, though they may have originated from other historical causes. Fascism, which sees the origin of its régime in a revolution still in process, cannot abstain from combining the two principles that go to make up its right to

rule, that of the force of its leaders, which imposes itself, and that of the popular will, which consents. The contradiction lies in the fact that the more valid is the force in the hands of a few, the more tenuous and hesitant and ineffectual the will of the people.

The juridical and concordatory settlement of the Roman Question, in spite of theoretical and practical difficulties, may stand the test so long as the European political situation rests on the present unstable equilibrium. Two causes undermine the whole of the European edifice: State totalitarianism and the rupture of international equilibrium. Is it possible for the Catholic Church and the other Christian churches to set a moral and religious dyke against national passions rendered unbridled by totalitarianism, against the armaments race, and above all against the spiritual preparation for a war destructive of our civilisation?

§ 58.—The anxiety lest sooner or later there should come a new European war, graver and more tragic than the last, has increased from the day that Germany became a totalitarian State under the sign of the Crooked Cross. But the spectre of war reappeared with the signing of the Treaty of Versailles and the other peace treaties, for they lacked the spirit of conciliation and compromise needed for a peace that would be not merely the law of the victor, but a real accord between victor and vanquished. It was thought that what was lacking at Versailles, in respect of Germany, had been supplied at Locarno. This was not so, for the successive stages from the evacuation of the Rhineland to the writing off of reparations took seven long years, with laborious discussions and belated decisions, due to the obstinate policy of France which refused to recognise the reality of the situation, and to the uncertain behaviour of England, which rendered agreements and understandings ambiguous.

The crucial point was that of disarmament. Germany demanded parity, France insisted on security; the duel was a mortal one. When in 1932 a *de jure* parity was granted as subordinated to security, not only was there never any definition of in what security consisted, but the disarmament plan maintained the military clauses of the Treaty of Versailles, which refused parity *de jure* and *de facto*. On the other hand, while the debates dragged on without coming to any conclusion, Ger-

many was rearming. During the whole of this period the League of Nations was in the heat of a confident activity, with continual meetings of Assembly and Council, Commissions, congresses, conferences, treaties, protocols, regional and general pacts, technical reports, disarmament plans, plans for European union, projects of mutual assistance against an eventual aggressor. In distant America the Pan-American Union was founded, comprising all the American States, while by the Kellogg-Briand Pact a thin link was established between Geneva and Washington. All this gave a sense of extraordinary euphory, with a confidence that the Disarmament Conference (in which both the United States and Russia were taking part, though they were not members of the League) would succeed in fixing the basis of an international balance of forces and of a League law founded on the collaboration of all.

Three facts could not escape the common observer, who perhaps did not give them due importance—that the League of Nations held within it two States which by their structure denied the principles on which it was built, Japan and Fascist Italy; that France, while upholding the principles of Geneva, counted far more on her political and military alliances, for Germany, though admitted to the Council of the League, nourished a spirit of *revanche* that was barely mitigated by the democratic forms of her government; finally, that the British Government, unwishful to commit itself too far, tended to minimise its League obligations and those of the other pacts that were being signed.

The juridical edifice of Geneva had not the moral assent of all the States, or rather, it possessed it where it responded to the interests of each. Sentiments might be sincere, the aims of each separate State legitimate, but faith was weak, and without faith there is not only no moving of mountains but there is even no taking of risks. Was there, in addition, any State in bad faith? Japan kept silence and was preparing her *coup* on Manchuria. At the opportune moment, when European discord is most acute, Japan, forgetting the undertakings to which she has subscribed to respect the territorial integrity of Member States, to renounce war for national ends, and, in the case of safeguarding her own security, to submit to the procedure of the Covenant—sends her armies, and by curious method, without declaring war but as a police

measure, occupies Manchuria, makes of it a vassal State, fixes its laws and takes justice into her own hands. Geneva did not fail to intervene, by a long series of meetings and resolutions and messages to the two conflicting States, and by a Commission of Enquiry sent to the spot. But since neither France nor England wanted to take serious action in concert with the United States (which had taken the initiative) to ensure the respect of international agreements, the League of Nations confined itself to deploring Japan's action and losing her as member.

The example was catching. When Hitler reached power, while he sought to make of Germany a totalitarian State (spiritually in contradiction to the internationalism of Geneva), he cut short the protracted discussions on parity *de jure* and *de facto*, repudiated the hypocrisy of the Disarmament Conference, which was becoming a Rearmament Conference, and forsook Geneva. The reaction of the other States and of the League itself was weak and negligible. It was believed that Hitler could be brought back by a policy of indulgence and manoeuvre. France and England were never in full agreement. Thus nothing was done to impede the rearmament of Germany, nothing to clarify the moral and juridical positions of the two parties. The persecution of the Jews was tolerated without a single diplomatic step being taken or a protest either from the separate States or from the League. Nothing was done to mitigate the war on the churches and on adverse parties. The moral abyss that was opening between Germany and the civilised peoples was felt by all, but no Government would admit it publicly.

At the same time Russia was drawing closer to Geneva and knocking at the doors of the League of Nations. Not that she had any great faith in the international principles that for so many years she had been discrediting through her propaganda at home and abroad, but because, placed between Germany and Japan, both prepared to make war for their totalitarian policy, she thought it well to have recourse to European alliances with the support of the League of Nations and under its ægis. And the League, in admitting the Soviets, asked nothing that could have formed a common ethical platform with the other States—neither religious and civil liberty, nor renouncement of methods of violence, nor any attenuation of Russian totalitarianism and propaganda for the class war.

How indeed could the League of Nations have done so, when it had tolerated Fascist Italy, which, from the first dispute (that of Corfu, in 1923) had ruled out its intervention, and often, in official speeches, had disparaged its ideals, derided the efforts towards disarmament, sung the praises of 'cannon', 'bayonets', 'muskets', and was pursuing a policy of spiritual militarisation of the young? The Fascist Government had the right to pursue a policy of its own and the duty of safeguarding Italian interests, the more so in that France and Great Britain were always acting in their own interests and took no account of Italy save when they needed her support. But Italy was not loyal to Geneva, pursuing as she did a policy of sabotage of international ideals while remaining within the League.

Her turn came. The Wal-Wal incident of December 4, 1934, opened the way to the Abyssinian dispute, which had been preparing for some years. Through the Rome Agreement of January 7, 1935, France gave Italy a free hand in Abyssinia, and the Fascist Government acquired in Laval a clever and unscrupulous wirepuller at Geneva.

The first phase—the appeal of the Negus to the League of Nations is met only by dilatory measures to avert the application of the Covenant. He gets no support for the arbitration he asks and to which he has a right by the Italo-Abyssinian Treaty of 1928. There is an unjust limitation both of the matter for arbitration and of the competence of the arbitrators enquiring into the territorial sovereignty over Wal-Wal. An arms embargo is applied, with unilateral effect, leaving Abyssinia disarmed just when the League of Nations has failed to induce Italy to suspend the sending of troops and munitions to Eritrea and Somaliland. It was during this phase that Hitler struck another violent blow at the Peace Treaty system, officially announcing the rearmament of Germany in violation of the military clauses of the Treaty of Versailles. France, Great Britain and Italy, having met at Stresa, each with her own axe to grind, resolve to invite the League of Nations to deplore the German action and to declare formally that no further violation of the treaties will be tolerated, under threat of repressive measures. Strange to say, not one of the three Powers was clean of violation or non-observance of the treaties (especially the clauses on disarmament),

and Italy was already breaking several treaties in preparing a war that was visibly becoming inevitable.

In the second phase, the action passes to London, thus giving the impression that the British Government, while declaring its wish to defend the Covenant, is merely safeguarding its own interests, which might be compromised by the Italian venture. Mr. Eden's journey to Rome, the resentment of the British Press, the three-cornered conversations in Paris which seemed a revival of the Three Power agreement, the sending of the British fleet to the Mediterranean, brought tension between London and Rome to a head; as a result the moral and juridical principles of the Covenant, and the protection of the State about to become a victim of aggression, passed into the background.

Finally, the epilogue. The Fascist Government would never define the aims of its diplomatic and military action against Abyssinia. It refused all the proposals made in the name of London and Paris or of the League of Nations. In order to justify itself it presented a memorial against Abyssinia. Granted as proven the various heads of accusation (among them that of slavery and slave-traffic), a distinction must be drawn between the cases that occurred or originated before 1922, when Italy (in agreement with France) supported Abyssinia's request to become a member of the League—since by that act such cases were obviously condoned or recognised as condonable—from those that occurred between then and 1928, when Italy signed a fresh treaty of friendship with Abyssinia and undertook that any differences that might subsequently arise should be settled by arbitration. Only these last could have led to a legitimate war, after they had been established by arbitration, and only in the event of an Abyssinian refusal to carry out its decisions, and after the procedure laid down in the Covenant had been followed. Italy, on the contrary, cut matters short and without either ultimatum or declaration of war sent her troops to invade Abyssinian territory, and carried on the war with the most rapid and modern methods, including the use of poison gas and the aerial bombardment of the unarmed populations.

The Assembly of the League of Nations, as soon as the war had broken out, declared Italy to have violated the Covenant, and, while deciding to apply economic and financial sanctions, continued the

negotiations that led to the Laval-Hoare Plan. This was rejected by Abyssinia, rejected by Italy (who had privately solicited it), and withdrawn morally (if not legally) by the Council of the League. The League continued the equivocal system of seeking to treat and at the same time threatening an intensification of sanctions, constantly proclaimed and as constantly deferred. Hitler's moment had come. Seizing the occasion, he made his master-stroke, occupying the demilitarised zone of the Rhineland, in breach of the Treaty of Locarno (March 7, 1936). The protests of the French Government against such breach of treaty found London as lukewarm for action as France had been lukewarm for action against Italy. The fear of a European war drove the Abyssinian War into the background. This was hastening to its end, with the defeat of the Negus, his flight, and the capture of Addis-Ababa. After which the Assembly of the League registered the inadequacy of collective action to prevent war and to guarantee the territorial integrity of a Member State. It lifted the sanctions a few months after the Fascist Government had proclaimed the annexation of Abyssinia and proclaimed the King of Italy Emperor.

This epilogue marked a grave defeat for the idea of collective security based on morality and international law. It definitely stripped the League of Nations of that character of universality with which it was born and to which it aspired. It gave a new impulse in every country, including the most pacifist, like Great Britain, Belgium, Switzerland, to a speedy and complete rearmament, obliging them to an unambiguous return to the pre-war system of military alliances, neutrality or isolation, as the case might be. Hence a denial of the aspiration of the peoples to an international solidarity, to the limitation of armaments, and to the outlawry of war, of all war. Italy demanded the recognition of the new Empire and the exclusion of the Negus from the Assembly of the League of Nations. Failing to get satisfaction, after much wavering she decided to withdraw from Geneva. The international crisis had reached a fresh phase, even graver than before.

Events after the Great War had thrown a particular light on the relations between the Church and the international community, between the Church and the several States, in regard both to the moral and juridical edifice of the peace and to cases of war. A new problem

had been set: if and up to what point can and should the Church accept and morally support the international order as an order of lawful right? The Church considers the State as a natural and necessary institution and commands that its authority and the legal order should be respected. Thus the oft-quoted reply of Christ: 'Render unto Caesar the things that are Caesar's.' Does an international society, established on a basis of natural ethics, partake of the authority of the State and of its character of guardian of order? The problem is a new one, not in that it was not raised and solved in the past—Christendom of the Middle Ages with the diarchy of Pope-Emperor was an international society—but because the international society of the past was based on a Christian conception, while the League of Nations has a secular character. The one was strictly bound to the Papacy, from which it originated; the other is outside all Church interference. This is the case not only of the League but also of the Pan-American Union, which has the same ethical and legal character. These societies of nations are contractual, positive, and, through political uncertainties, may be considered as more or less temporary. The Church can and should take them into account as means for creating an international law and rendering it effectual; as such they are contractual organs, possessing authority in so far as through them and in them an international interdependence is created which is a mutual limitation of sovereignty. Inasmuch as through such societies and unions of States legal bonds are created, useful undertakings are promoted, and wars are prevented by means of compulsory procedures, arbitration and authoritative decisions, the Church cannot fail to regard them as exercising in common that authority with which the States are invested. So long as they do not offend against justice and morality, they deserve the support that the Church gives to each separate State for the common good, its specific end.

In making this statement we do not at all mean that the Church should mix herself up in international politics, just as she does not mix herself up in national politics; but only that in the same way as in each State she defends religion, morality and law, and supports their undertakings to this end, she works, in so far as is possible to her, in the vaster and co-ordinated field of unions and societies of States. Never has the Catholic Church abandoned her lofty social and

civilising function in this regard, not even under the pretext that the modern States are laic (a pretext that certain ill-advised Catholics have put forward in regard to the laic character of the League), for where morality can be defended and right consolidated, it is the office and duty of the Catholic Church to have her say. This has been the policy of the popes from Leo XIII onwards, whether in favour of understandings and unions between the States, or of the formation and consolidation of international law, or in support of the efforts towards disarmament. The other churches have openly and unrestrictedly supported the new international enterprises.

Where the work of the Church corresponds most closely to the spirit of the Gospel and to the needs of the present world is in promoting and contributing to moral disarmament, to attenuating the causes of war, supporting efforts for peace and taking the initiative if need arises, causing moral values to be appreciated above the egotistic interests of the peoples. And since the case of war is the central point of the present international constructions (League of Nations and Pan-American Union), so the Church, without being bound to their particular policies, cannot fail to uphold the principles apt to avert war—the keeping of treaties, the necessity for arbitration, the equity of timely treaty revision, the elimination of war-motives, the condemnation of those who take justice into their own hands, dragging the peoples into the horrors of war.

In this respect the case of the Italo-Abyssinian War was graver for the Catholic Church than that of the Great War. The other churches, Protestant and Orthodox, were not directly concerned, save the Coptic-Egyptian-Ethiopian Church, which naturally upheld the justice of the defence of Abyssinia. The Protestant churches were against the war promoted by Italy, and hence for the defence of the people attacked and of international law, except those of Germany, Hungary and France, which made no public declarations.

Pius XI found himself in a very delicate position and was accused by the Protestant bishops of favouring the Fascist Government. He was bound by Article 24 of the Lateran Treaty, by which 'The Holy See, in regard to sovereignty even in the international field, declares that it wishes to remain and will remain extraneous to the temporal

competition between the other States and to the international conferences summoned for such an object, unless the contending parties agree to appeal to its mission of peace, while reserving to itself in any case the right to make its moral and spiritual protest heard'. Through this last reservation the Pope, in his address of August 27, 1935, expressed his mind on the conflict that was about to lead to war. If this, as was believed abroad, were a war of conquest, an offensive war, it would be 'truly an unjust war'. He added. 'We do not believe, we will not believe in an unjust war.' In Italy there was talk of a war of defence and of a need for expansion, he continued, but 'if the need for expansion is a fact that must be taken into account, the right of defence has its limits and moderation that must not be overstepped if the defence is not to be culpable'. A subsequent official *mise au point* in the *Osservatore Romano* made it clear that 'the need of expansion is not a right in itself; it is a fact that must be taken into account but which is not identified with lawful right'. The Pope ended by recommending to the men responsible not to do anything 'that might aggravate the situation and irritate hearts', not to lose 'precious time', and to carry out a 'work of pacification'. Thus indirectly he defined the positions of Italy, of the States concerned and of the League of Nations.

In this address there was no mention of the moral obligation of keeping treaties and of the pledge of arbitration which bound Italy to Abyssinia. Yet this moral and juridical position had been undermined by the Council of the League of Nations, which had limited the scope of arbitration and had promoted the three-party meeting (London, Paris, Rome), with the exclusion of the interested party, Abyssinia, who was treated as less than a minor. The care taken to exclude any moral implication and any recall to the treaties, in order to place the Italo-Abyssinian conflict on the political plane as the business of the three Great Powers interested, was the initial error, at once moral and psychological, to which the Secretariat of the League of Nations lent itself, with the representatives of the other States, great and small.

In antithesis to this equivocal and utilitarian position a conflict of conscience arose in public opinion on the nature of the war, even before the Assembly of the League had declared Italy a violator of the Covenant, and hence an aggressor. It was too obvious, to the unbiassed eyes

of those unperturbed by immediate passions or particular interests, that the Fascist Government intended a conquest, for which the Wal-Wal incident (closed by an arbitral decision declaring both parties free from blame) gave no adequate pretext. Therefore there were many who urged that the League should act promptly and effectively to prevent war, even by sanctions which in this case were considered legitimate not only from the formal standpoint, since it was a case of a clear and intentional breach of the Covenant, but also from the moral standpoint, since it was indisputably a war of aggression and conquest. That it had been prepared and intended ever since 1932 is confessed by General De Bono himself in his book *The Conquest of an Empire.*

This notwithstanding, most of the bishops, clergy and Catholic press of Italy took up a clear position in favour of the war and against sanctions. From abundant documentation it may be noted that the ethical problem raised by the war was considered from three standpoints: (1) That the government of a country was sole judge of the justice of its own cause and that the people was obliged to obey; (2) that the African war was a war for Christian civilisation; (3) that sanctions were immoral as seeking to impede Italy in the exercise of a right. Since no contrary voice could make itself heard in Italy, we have the right to suppose that not all the clergy nor all Catholics held these opinions, although it was very difficult, even for them, to form an independent opinion, in view of the Fascist propaganda, carried on by every means, and the absolute lack of contrary voices and possible control of information.

In the other countries, Catholics were in majority against the war, judging it as immoral, and were distressed at the behaviour of the clergy and Catholic press in Italy.[1] The address of Cardinal Verdier, Archbishop of Paris, on the theory of the just war was a *mise au point* without specific reference to the conflict in course, but such as to embrace it. The Catholic press was divided pro and contra, according

[1]The most authoritative reviews, such as *Les Etudes*, of the Jesuits of Paris, *La Vie Intellectuelle* of the French Dominicans (then at Juvisy), *Blackfriars*, of the Dominicans of Oxford, *The Catholic World* and the *Commonweal* of New York, the groups of Catholic writers of France and Spain (to mention only the most notable expressions of opinion) frankly discussed the Italo-Abyssinian case and concluded for the injustice of the war.

to whether their tendencies were nationalist or democratic, philo-Fascist or anti-Fascist. The fact that the Italian Government, even during such a war, was in good relations with the Holy See and that the papal diplomacy (as far as could be known) favoured a solution of compromise, and still more the fact that in the various countries the parties of the Left were the principal leaders of the campaign against Italy, held back not a few foreign Catholics from uniting their voices with what they called the chorus of 'Freemasons and Bolshevists'. For such as these the moral problem thus passed to the background, as in France at the time of the Dreyfus Case.

The use of hyperite and poison gas not only against the combatants but also against the Red Cross hospitals and the unarmed populations (who were without any means of technical defence) aroused a chorus of indignation in every section of public opinion, as contrary to natural morality and forbidden by international agreements. No diplomatic protest was made to Rome by the several governments, nor by the Council of the League of Nations, perhaps because it is notorious that great and small States are manufacturing the worst kinds of gas in readiness for the next war. But on the part of the clergy and faithful this would have been a timely opportunity for raising their voices against a terrible means of destruction of human lives, without possible discrimination between belligerents and the civilian population.

The episode of the Italian war in Abyssinia revealed the beginning of an unprecedented moral crisis. Doubtless it is to be connected with the moral, psychological and political crisis left by the Great War, but this new phase is characterised by the formation of the totalitarian States. These, in spite of their diversities in programme and attitude, are giving an imprint to an epoch, with the suppression of all liberty, the monopoly of all means of public opinion, the subjugation of the souls of the young, the dominance of all intellectual activity, of all personal or associated initiative in every field, even those remote from politics; a dominance extending to economy and its ends, to domestic life and religious life, with the militarisation of the whole people and a continual rearmament knowing no limits. They are thus creating an iron structure for the whole of society.

Small wonder if the frail edifice of an international society has been

shaken, not so much because it was unable to prevent a war of aggression as because it had not the strength for a timely and integral defence of the ethico-juridical principles on which it was founded. The men responsible considered the problems of the Italo-Abyssinian War in political terms rather than in moral terms. In their spiritual poverty they did not know how to appraise the political effects that spring from public morality. On the other hand, the Churches in present-day politics have not such a voice as to gain a hearing, and often priests and faithful are carried away by the political passions seething in the world.

§ 59.—The period of the Abyssinian War had not closed when the revolt of the Generals broke out in Spain, transforming itself immediately into a civil war and soon after into a camouflaged international war with sidelights of a religious war and of a war of ideas, expanding throughout the world. What the connection, through politics and intrigues, between the war in Spain and the Abyssinian War is not easy to determine and has no importance for our study. Future historians will be able to solve or attempt to solve this problem in the light of documents or revelations which we do not possess. What can to-day be stated with certainty is that the Italian Government at the end of the Abyssinian War found itself with a debt of gratitude towards Berlin and with a violent resentment towards London and Paris. The understandings between Rome and Berlin led to a marked modification of Italian policy in Central Europe. On July 11, 1936, Hitler received the Austrian Chancellor Schuschnigg at Berchtesgaden, to draw up the first agreement. By this the foreign policy of Austria was made subordinate to that of Berlin, while the Government in Vienna was reconciled with the Nazi régime.

The Mediterranean repercussions of the new policy, which would be later described as the Rome-Berlin Axis, might already be divined from the military reinforcement of Libya, of the islands of the Dodecanese, of the island of Pantellaria linked up to Sicily, and later of Sardinia. A circumstance which escaped public attention was the following: the Assembly of the League of Nations decided the withdrawal of sanctions against Italy and at the same time refused to

recognise the annexation of Abyssinia on July 4; the Austro-German Agreement of Berchtesgaden was on July 11; the date of the order given to the airplanes of the Italian air-force to proceed to Spanish Morocco was four days later, July 15; it was these airplanes that enabled the troops in Morocco to be transported to Spain.[1] Finally, it was on July 17 that General Franco made his military *pronunciamento* in Morocco, and on July 18 came the military rising in Madrid and the Spanish provinces. It was said that the revolt was decided upon as a sequel to the murder of Calvo Sotelo, on July 14, (a reprisal on the part of police agents who were friends of the sub-lieutenant of the police Guards, Castillo, murdered a few days earlier by the Spanish Fascists). But by now it can no longer be doubted that the revolt had been arranged some time before and that it was merely anticipated by a few weeks owing to the speeding up of events.

Even if the political connection between the happenings in Spain and the situation created by the Abyssinian War were less close than we believe, this would not affect the facts of how the new crisis arose. Above all, there was the spread of the war atmosphere in Europe; the dread of a general war becomes more tangible, the conflict of ideologies passes from the plane of theoretical discussions, electoral contests and economic preoccupations to the bloody plane of war. Russians, Germans and Italians try out in Spain the newest make of weapons, aeroplanes and tanks; the effects of war inventions are measured in European civilised countries, prepared for long drawn out wars. The bombers fly over famous and beloved cities, populous and filled with works of art—Madrid, Toledo, San Sebastian, Granada, Seville, Bilbao, Oviedo, Valencia, Barcelona. The International Brigades are formed, on the one side spontaneously, without equipment, on the other partly spontaneously, partly by official order, and well equipped. The horrors of a war of this type are increased by the ferocity peculiar to civil war, by the rancour of both sides—of those confronted

[1]This date was ascertained by the French authorities from the documents found on two Italian pilots who landed by mistake in Algeria. The use of the Italian airplanes for the transport of Moroccan troops into Spain was published in the Press and confirmed by books and articles in the Italian reviews. (See Guido Mattioli, *L'Aviazione Legionaria in Spagna.*)

with an unexpected and vigorous resistance and of those surprised at finding themselves betrayed and forsaken by men they believed sure and trustworthy.

The revolt of the generals against the government of the Republic in the first few months had three characteristic features. The first was the rapid disorganisation of the forces of the State through the fact that practically the whole army, part of the police, many civil servants and diplomats, the clergy, the rich landowners and many young men of the middle classes went over *en masse* to the side of the rebels. The second was the fierce resistance of the working masses, without military organisation, without sufficient arms, in an atmosphere of anarchism in which the formation of mobile, violent groups, prepared for anything, took the place of authority, which found itself unable to control the forces of resistance. And finally, there was the religious persecution, the frenzied assaults on churches, presbyteries, religious houses, the burnings and massacres—an explosion, it seemed, of long-smouldering fanaticism, with a vengeful delight only possible when all legal restraints have collapsed, as they had through the two-fold revolution. In this atmosphere the impunity of crime, of any crime, was a feature of the resistance.

These initial aspects of the revolt give their colour to the civil war and create the impassioned atmosphere in which the whole world has followed, commented and spiritually shared in it. For the partisans of the Government all the bishops were rebels who were conspiring with the generals; the priests were shooting from their church-towers on the crowds; the religious houses held deposits of arms and munitions. For the partisans of Franco all the Republicans were Communists, urged and helped by Moscow to plot against the whole of Spain, to suppress private property, to kill priests and religious, to forbid religious worship and bolshevise the nation; Franco's counter-revolt came just in time; if it degenerated into a civil war lasting over two and a half years, that was the fault of Russia and of France, who helped the Government of the Republic and obliged Franco to seek aid of Italy and Germany. Against this last assertion the supporters of the Government replied that the intervention of Italy was assured well before the revolt, and at the same time the benevolent support

of Hitler had been obtained; moreover, that Franco had had at least twenty times more military help from the foreigner than the Republicans.

The international press for over two years was full of these mutual accusations, which formed the material of an intensive propaganda, serving to procure for both sides help in money, men, arms and munitions, and, from the humanitarian standpoint, medical aid, food and clothing. Thus from 1936 till to-day the Spanish war has been the most popular and passion-creating war that has ever been fought for an ideal cause, and at the same time the most ferocious and inhuman war that has ever ensanguined the soil of Europe. To find a historic comparison we have to recall the Spanish revolt of 1820 for the restoration of the Constitution, the armed intervention of France in the name of the Holy Alliance, Great Britain's refusal to intervene, the anti-liberal reaction in the name of Catholicism and the horrors of the Carlist war and of the ensuing repression. To-day in place of France (then jealous of Great Britain) there is Italy (now jealous of France), sending troops, Fascist militia and volunteers; in place of the anti-liberalism of a century ago there is the anti-communism of to-day. Then there were the atrocities of the anti-liberal reaction just as to-day there are those of the anti-fascist reaction, but the fanatical mobs of those days were far more on the side of reaction, whereas to-day they have been far more on the republican side. The terrible moments of the first six months of the civil war, with recrudescences in 1937, may find a term of comparison in the French Revolution. A century ago Europe and America were divided for and against the liberals of Spain, for and against the authoritarian governments of the Holy Alliance; the liberal ferments had spread throughout the world and the Spanish episode aroused on either side hopes and fears, political trends and religious crises. Then, as to-day, the ecclesiastics of Spain were in majority on the side of the Holy Alliance and took an active part in the Civil War, bringing upon the Church the consequences of such an attitude.

This time the sudden and violent persecution of the clergy, the massacres of priests and religious, the burning of churches while the authorities looked on, powerless or passive or conniving, gave an

immediate motive for the clergy to range themselves on the other side. The Holy See protested to Madrid, but received no reply. Pius XI, in receiving bishops, priests, religious and laymen who had fled from Spain, on September 14, 1936, set forth in an interesting address the characteristics of the resistance of the Church: *martyrdom*, where this bore witness to the persecuted faith; *resistance*, where this could be carried on without excesses; *prayer*, even for the blinded adversary. In regard to defence, it is well to quote the text of the papal declaration: 'A task, we have said, both difficult and dangerous, for it is only too easy for the very ardour and difficulty of defence to go to an excess, which is not wholly warranted; and further, intentions less pure, selfish interests and mere party feeling may easily enter in to cloud and change the morality and responsibility of what is being done. Our fatherly heart can never forget, and in this moment more than ever it must recall, with the most sincere and fatherly gratitude, all those who, with purity of intentions and unselfish motives, have sought to intervene in the name of humanity. And our gratitude is undiminished even though we have had to realise the failure of their noble efforts.' He continued with words of affection for those sons that had gone astray, for the persecutors of the Church, which many would do well to re-read to regain a sense of Christian charity.

The *Osservatore Romano* of September 18, 1936, distinguished three facts: (1) The military *pronunciamento* and the civil war for political ends; (2) the loosing of the revolutionary masses against the churches, religious houses and faithful; (3) the legitimate defence of these. In regard to legitimate defence, the *Osservatore Romano*, after reproducing the words of Pius XI in his address of September 14, added: 'Thus the *reason* and the *limits* of the action of Catholics in defence of their faith are established. The *right of defence*, as the Holy Father said on another occasion, *has limits and demands a moderation that must be observed if the defence is to remain blameless*. The same principle is to-day confirmed in blessing those who have shed and are ready to shed their blood for the faith. And not only these, but even those who, by a miserable blindness, hate the faith . . .'

The reiteration of the words pronounced by the Pope in August, 1935, in regard to Italy's war on Abyssinia, was not without intention.

The hypothesis of legitimate defence if applied to Italy could not imply the conquest of the opposing Empire; just as the legitimate defence of the Catholics assaulted and killed for their faith and of the churches burned could not imply a civil war of extermination lasting over two years and a half. But these positions were soon outdistanced by Catholics who maintained the entire legitimacy of the military revolt. This thesis was in itself very disputable. Not long after, in March, 1937, Pius XI in writing to the Bishops of Mexico one of his greatest encyclicals (*Nos es muy*), had occasion to lay down the guiding principles of the right of revolt, its character and its limits. It was the first time in the annals of the Church, from the days when the medieval popes released citizens from their oath of allegiance to their government, that a Pope had tackled this difficult question, giving the most equable solution possible both for authority and for the citizens, and purposely drawing a distinction between these and the clergy and Catholic Action.[1]

That the norms traced by Pius XI for the case of revolt were those followed by the Catholics supporting the Spanish generals in the case of the revolt in Spain, would be hard to say—especially since this had been long prepared, rather to overthrow the republic than to check the government that resulted from the elections of February, 1936. But this phase soon merged into the second, that of the armed resistance of Catholics attacked by the mob in their churches and monasteries, the suspension of religious worship, the murder of the priests. According to the *Osservatore Romano* the Catholics merely put up a legitimate defence. Now this could be said, and was the truth, in individual cases when the actual assault of the mob was met, where possible, by an armed defence that did not exceed the limits of an *inculpatae tutelae*. But it was not the case of Spain in the second half of July 1936; isolated acts of defence against the mob were almost impossible; often only flight could avail. The murder of thousands of ecclesiastics and faithful, or of persons reputed inimical to the people, came like a hurricane. There was no real resistance to the excesses of the mob. There was a rapid decision to take sides for this party or that,

[1]For this see my study in *Politics and Morality* (Burns, Oates and Washbourne) pp. 206–12.

forming war fronts, provinces against provinces, towns divided, villages conquered by force. In a few days the revolt became civil war.

The third phase, that of the war, came so swiftly, in view of the resolute will of the republican and working-class population to defend itself, at any cost, and in view of the will of the rebel leaders to win at any cost, that no one had time to measure the responsibilities he was assuming, not even the men of the Church, and particularly the bishops, those who had left their dioceses to take refuge in the rebel camp or abroad, fleeing either certain death or terrible imprisonment. Thus the greater part of the Spanish Hierarchy (with a few exceptions, among them the Cardinal of Tarragona, the most authoritative and the best known) opted for what was known as the national cause and gave it their support. It was then that in Spain and abroad among Catholics and their clergy the theory of the 'holy war' came into existence. Father P. J. Mendendez-Reigada, a Dominican, in an article in *Ciencia Tomista* of Salamanca (later reprinted as a pamphlet) declared: 'The Spanish national war is a holy war, the most holy war registered by history;'[1] while another Catholic philosopher, far better known in the world of culture, M. Jacques Maritain, maintained the opposite view in a study published by the *Nouvelle Revue Française*, and reprinted as preface to Professor Mendizábal's book *The Martyrdom of Spain*.

Needless to say, the thesis of the holy war, whether applied to the civil war in Spain or to any other war past or future, is untenable in Christian doctrine. The idea of the holy war is entirely Mohammedan; it means the armed conquest for the faith, the temporal and military society assuming the task of religious propaganda, of the establishment of the kingdom of God in the world, with the physical destruction of every other faith. There are those who confound the crusade with the holy war. It is a mistake. The Crusades were wars proclaimed by the popes, with spiritual privileges for the combatants in order to gather together armies and impel them to the defence of Christendom. Such wars did not fall outside the fundamental principles of the just war or war of defence. The religious motive could not overrule the criterion of justice. If the infidel State had had a just cause for promoting a war against a Christian State, the latter would have been

[1] *La guerra nacional española ante la moral y al derecho* (Salamanca, 1937).

bound to do justice and to avoid the war. If among the motives of war there had been a religious question (as in the time of the wars of religion between Catholics and Protestants), the first duty would have been to eliminate the religious factor from the war-motives, never to turn it into the main motive, arousing in the name of religion the worst instincts of slaughter and extermination.

What happened in Spain was that the religious factor, originally subsidiary or concomitant, became for many the predominant motive, or was identified or associated with the politico-social motive of overthrowing the republican government of the Left and installing an authoritarian government of the Right. The religious motive impelled many to support the generals and their followers, and sustained them in the civil war which they soon realised would be long and bitter. But the differentiation between the two camps was intrinsically political and social. Republicans and autonomists, Basques and Catalans on the one side; monarchists, Carlists, Phalangists on the other; the working masses, Socialist, Communist, Anarchist on the one side, capitalists and land-owners on the other; anti-clericals and free thinkers on the one side, clericals and churchmen on the other. The lines of demarcation are not absolute. Many people found themselves on the one side because on territory where the Government might be holding its own; others found themselves on the other side because the rebels by swift moves seized important positions. Thus each man had a personal case to resolve in the light of his own conscience or his own interests. While the bulk of the clergy, except the Basque priests, and some of Catalonia or Madrid, were with Franco, not a few Catholics believed that they could not refuse armed defence of the legitimate government, even though public worship had been violently suppressed by the mob. Others fled to enrol on the side of Franco, who both by conviction and by interest has not ceased to protect the Church at the same time as he has made use of her.

In view of the uncertainty of Catholic opinion abroad on what was happening in Spain, the Spanish bishops were asked by the Government of Burgos to write a collective letter to the bishops of the Catholic world, explaining their attitude and defending the thesis of the national cause. All save the Cardinal of Tarragona and the Bishop of Vittoria

assented. Fortunately, in the letter which appeared on July 1, 1937, they did not adopt the theory of the holy war, but took their stand on the thesis that the triumph of Franco's party would be for the national and religious good of Spain. They defended themselves against the charge of having fomented the revolt against the constituted power of the Republic (to which the Spanish bishops had given their assent as to the legitimate government) and of having wanted the war, whereas their aspiration had been one of peace. 'When the war broke out, we lamented more than any one the painful fact, because it is always a grave evil which often enough is not compensated by problematical advantages, and because our mission is one of reconciliation and of peace.'[1] (p. 4). Further on: 'The Church has neither wished for this war nor provoked it, and we do not think it necessary to vindicate her from the charge of belligerency with which the Spanish Church has been censured in foreign newspapers. It is true that thousands of her sons, obeying the promptings of their conscience and of their patriotism and under their own responsibility, revolted in arms in order to safeguard the principles of religion and Christian justice which had for ages informed the nation's life; but whoever accuses her of having provoked this war or of having conspired for it and even of not having done all that in her lay to avoid it, does not know or falsifies the reality.'

The bishops, on the other hand, examining the events prior to July, 1936, believed that they could justify the revolt and the ensuing civil war, both as a measure for preventing a communist plot to bolshevise Spain, which, they held, had been prepared between Moscow and Madrid, and as a means of surrogating a government that had no longer any authority and could no longer be considered legitimate. Leaving aside the polemical part of the letter and of the analysis of the facts, which on various points would find it hard to withstand objective criticism, we may note that what concerned the bishops was to bring out that the 'national' movement was wholly corresponding to Catholic principles; therefore they defended it from charges of injustice and atrocities. As for the future: 'We trust in the prudence

[1] Joint Letter of the Spanish Bishops to the Bishops of the whole world concerning the war in Spain. (Catholic Truth Society, London.)

of statesmen that they will not accept foreign models for the structure of the future of the Spanish State, but that they will consider the requirements of the national life from within, and the course marked by past centuries.' The allusion to Fascism and Nazism is plain.[1]

What distressed many Catholics abroad in this letter was the reference to the Basques. The bishops wrote: 'All our admiration for the civic and religious virtues of our Basque brothers. All our charity for the great misfortune that afflicts them and which we consider ours because it is that of the mother-country.' (p. 27). But the bishops accused the Basque leaders of blindness, declaring that they had taken the side of Communism against Catholicism. Now the thesis that on the one side there is nothing but evil ('Communism') and on the other nothing but good (Catholicism and patriotism) and that 'the war of Spain is the result of the struggle between two irreconcilable ideologies', is, to our mind, an oratorical and not an historical thesis. As for the Basques, no account was taken of the obstinate refusal of the nationalist leaders and of the Spanish Right parties, even before the revolt and on the eve of the revolt, to recognise the historic rights of that people. Of such rights the bishops make no mention, as legitimate elements of a future of appeasement, while Franco and his government have always refused

[1]Cardinal Goma, in November, 1938, in his appeal on the occasion of the 'Crusader's Day', wrote as follows: 'And neither shall we be able to be free if we do not preserve the specific physiognomy given us by our character and our history, shaking off every yoke of a spiritual or social order that would seek to subject us to dogmas, customs and orientations in contradiction to the Christian spirit which has made us what we have been.' Not long after, Father Merklen, the editor of *La Croix* of Paris, speaking of General Franco, wrote: 'The spirit of revenge and hatred, carried to an extreme development, will make it difficult for him to restore a moral union . . . The Hitlerian influence, for its part, is gaining ground daily in the entourage of the Generalissimo. If the condemnations of racialism by the Sovereign Pontiff have passed almost unnoted in Spain, the writings of Hitler, Rosenberg, Streicher are translated into Spanish and widely circulated. Señor Serrano Suner, Franco's father-in-law and Minister of the Interior in the Franco government, does not conceal from his visitors his sympathy for German National-Socialism and the Cardinal Archbishop of Toledo has been obliged to bring the reminder that in order to be a true Catholic, it is not enough to call oneself a Spanish Catholic, one must be a Roman Catholic. Between two false mysticisms, two unilateral and erroneous conceptions of society and of life, we have no choice to make. We are Catholics; we have but to remain ourselves.' (*La Croix*, December 15, 1938.)

to recognise them, just as they have arranged to suppress the rights of the Catalans.

The bishops of all countries replied to their Spanish confreres with personal and collective letters, by nation or region, assenting to their standpoint. This episcopal plebiscite was registered case by case by the *Osservatore Romano*, which never, either then or later, published the Letter of July 1, 1937. It was natural that the Catholic press in the dependence of the bishops or of Catholic Action should take its tone from the policy outlined by the Spanish Episcopate. There were indeed reservations, comments, criticisms even from the Catholic side, especially in France, where writers and thinkers like MM. Jacques Maritain, François Mauriac, Edouard Mounier, and the Spaniard Alfredo Mendizábal, took up a very clear and courageous position against the identification of the Church and her supreme spiritual cause with Spanish nationalism, and against the religious and political justification of the civil war—an impression often given by unskilful defenders of the position of the Spanish bishops. Such apologists often went so far as to defend the aerial bombardments of civilian populations, and believed the executions of prisoners of war and of civilians to be justified (especially of the Basques, against whom the hatred of Nationalists has been and is implacable); they even opposed any proposal of mediation, truce or armistice, not seeing any salvation for the Church and for Spain otherwise than in the complete and total victory of Franco and the total crushing of the republicans, for them 'Reds' or 'Communists'.

The endeavour to promote a peace by conciliation goes back to the beginning of 1937, when a group of Spaniards abroad (nearly all Catholics) led by Professor Mendizábal constituted in Paris the Committee for Civil Peace in Spain. They spoke of 'civil peace' as opposed to 'civil war'. Soon after, a group of Frenchmen (in majority Catholic) formed a committee of their own, calling it the *French Committee for Civil and Religious Peace* in Spain, in the wish to emphasise that civil peace would be impossible without religious peace, and with the intention of helping the efforts of those Catholics who, on the side of the Government, sought to restore public worship in Government territory. A similar Committee was formed in London, yet

another in Geneva, and the movement has supporters in various countries.[1]

May be in the last period of the resistance of Catalonia the Government might have been ready to treat for an honourable peace; President Negrin's appeal of May 1, 1938, may have been a sign. But differences and hatred were too great. Moreover, by then General Franco felt too sure of ultimate victory, given the open and decided support of Italy and Germany, not to have rejected any proposal of mediation. This notwithstanding, the idea of a peace of conciliation had so profound a moral and religious basis (for there can be no true peace unless there is conciliation), that the effort to achieve it remained valid even after General Franco's victory, as a necessity that will have to be met if Spain is to come to any true unity and appeasement.[2]

[1]The Chairman of the French Committee is M. Jacques Maritain, and among its members are the Academician, M. Louis Gillet; MM. Louis le Fur and Georges Scelles, both professors of International Law at the Sorbonne; and Mgr. E. Beaupin. The British Committee has as Chairman Mr. Wickham Steed and its members include Viscount Cecil of Chelwood, the Hon. Harold Nicolson, M.P., Mrs. V. M. Crawford, Mrs. Corbett Ashby, Professor Gilbert Murray, Mr. Richard R. Stokes, M.P. It consists of Catholics and non-Catholics in about equal numbers.

[2]Cardinal Goma, in the appeal already quoted, in November, 1938, declared that 'Spain will not become One without a reconciliation of all Spaniards. To this end, rather than the rout of the adversary, let us call for their reincorporation in the true spirit of the nation, while awaiting, with open arms, the day when as Spaniards all we shall give each other the kiss of holy brotherhood, as sons of the same God and of the same Fatherland.'

In January, 1939, an article appeared in the *Osservatore Romano* over the initials M.C. (Father Mariano Cordovani, Master of the Sacred Palaces), blaming *La Croix* for having printed, without reservation, a resolution framed by Professor Mendizábal, in which he declared that 'faced with the Spanish tragedy Catholics, as such, remain free to manifest their preferences and to grant their sympathies to either side'. *La Croix* cleared up the misunderstanding and hastened to accept the view of M.C. that 'the only and true attitude of justice and charity that Catholics must adopt is that of which the Holy Father himself (Pius XI) has given us the example, in his memorable Allocution at Castelgandolfo to the Spanish refugees (September, 1936), which constitutes the charter of Christian and papal thought in this matter'. *La Croix* on January 26 published a *mise au point* by Professor Mendizábal on the exact bearings of his resolution, drawn up, as he said, in haste, but implying neither acceptance of Communism nor approval or tolerance of the crimes of the mob (as it had appeared to M.C.). What he had in mind, on the contrary, were the words of the Archbishop of Paris, Cardinal Verdier, who, in August, 1938, in regard to 'the divergences

§ 60.—The Spanish Civil War and foreign intervention created a new political case which could not fail to be laid before the assizes of Geneva. But the League of Nations had emerged so weakened from the Italo-Abyssinian adventure that a fresh effort to put it back in the saddle could come only from the united resolution of Great Britain and France. France was passing through a phase of conflict between the capitalist world and that of the working classes, which had become acute through the electoral victory of the Popular Front and the advent of the Blum government. Hence flight of capital, strikes, occupations of factories, complicated by a kind of conspiracy of adventurers of the Right with contacts abroad—the *Cagoulards*. In Great Britain the death of King George, the accession of Edward VIII and the question of his marriage were absorbing the attention of the Baldwin Cabinet. Moreover, the Spanish business was never considered in its full significance; it was believed to be one of the many risings that would end in two or three months. To avert international complications, early in August France had hastened to propose a non-intervention agreement to Great Britain. To the proposals of France and Great Britain, Germany, Italy, Russia, and Portugal assented, with varying degrees of sincerity and with tacit reservations; Czechoslovakia, Sweden and Belgium followed the Anglo-French policy. These Powers formed the Non-Intervention Committee in London, notifying the League of Nations. But the meddling of foreign powers in Spain was evident from the first months. The attempts of the Spanish Government to get the matter taken up in Geneva (in the Assembly of September-October, 1936), with the intention of preventing any foreign help to the insurgent side, had no practical effect. The fear of a bolshevisation of Spain was conclusive for many governments, in view of the political —rather than military—intervention of Moscow. While the fear of a fascistisation on the other side carried far less weight. Many thought that Spain, like Portugal, in the hands of the bourgeoise

separating French Catholics on the Spanish question' had declared that 'the Hierarchy does not pronounce itself in this domain'. The *Osservatore Romano* took note of the declaration of *La Croix*, and in a subsequent article had occasion to blame those journals that had taken the opportunity of attacking the French organ. In this controversy the 'peace by conciliation' upheld by Professor Mendizábal and the Committees was never called in question, as some had believed.

would soon become once more economically and politically bound to England.

Soon after, the occupation of Majorca by Italian forces that had come to the help of General Franco gravely perturbed Great Britain, who extracted repeated assurances from the Italian Government that it had no territorial aims in Spain. On January 2, 1937, what was known as the 'Gentleman's Agreement' was signed, to the effect that the Mediterranean *status quo* should remain unaltered and collaboration between Great Britain and Italy be restored. But that very day 4,000 Italians disembarked at Cadiz, after 6,000 had disembarked on December 22. The political fiction of Non-Intervention, with all its phases of weakness, cunning, indulgence, resistance, continued to throw into relief the understanding between Rome and Berlin, now called the Rome-Berlin Axis. The Anti-Communist Pact signed between Berlin and Tokyo became a Three Power Pact with the intervention of Rome. It was then that submarines began to appear in the Mediterranean, hunting down the ships carrying food and supplies to Republican Spain. At the same time Japan started on another and vaster military occupation of China. Another war of aggression in the Far East, undermining the positions of the Great Powers (which entered into the plan of the Axis) and subjecting China to a long and terrible trial of blood and fire! China, like Abyssinia knocks at the doors of Geneva for moral help, and Geneva recognises that China is a victim of unjust aggression, but the declarations of September, 1937, are worth less than those of five years before over Manchuria. The signatory Powers of the Pacific Pact meet at Brussels, but they are able to do nothing practical to prevent the war, or to limit it, or to guarantee the balance of power in the Pacific. They leave Japan to continue her march into China, her inhuman bombardments of unarmed populations, the exodus of helpless peoples. The crisis of an international morality, so loudly proclaimed, has extended from the West to the East.

Meanwhile Great Britain and France were coping with the Mediterranean piracy. All knew to whom the unknown submarines belonged and no one had the courage to say it. The interested Powers rapidly arranged a conference at Nyon in Switzerland. Agreements were

entered upon for forcible repression of the submarine offensive. This stopped as by magic. The swift success of such a move impelled the Cabinets of Paris and London to ask Rome for a three-Power meeting, to solve the problem of the withdrawal of foreign volunteers, which had proved a stumbling block for the Non-Intervention Committee. The initiative came from Mr. Eden, then Foreign Secretary, who wished to place Mussolini in the dilemma of a decisive choice. But the latter, too clever for him, on the one hand replied that on the Spanish question the decision must come from the Non-Intervention Committee and on the other showed himself prepared to negotiate an agreement with Great Britain over the Mediterranean and Red Sea.

It was Hitler's hour. All the anti-Semitic campaign in Germany, the reinforcement of the Berlin-Rome Axis, the support for Tokyo, the intervention in Spain, had been a preparation for his design of subjugating Austria. Mr. Eden's resignation from the Chamberlain Cabinet through his refusal to accept Mussolini's 'now or never' for negotiating the new agreement, Mr. Chamberlain's orientation in favour of an understanding with Germany, cost what it might, even though it meant washing his hands of Central Europe, precipitated events. Hitler on February 17, 1938 summoned Schuschnigg to Berchtesgaden to intimate to him that he must take Seyss-Inquart as Minister of the Interior and of the Police, a Nazi Catholic who would serve as Trojan Horse. The unfortunate Austrian Chancellor gave way under Hitler's threats. Then, repenting, he calls a plebiscite, but Hitler has the way clear for armed invasion. On March 11th everything collapses, Government and President leave their posts, some are arrested, some flee. Hitler annexes Austria to the Reich, making it a province under the name of the Ostmark. The Cabinets of Europe and America make no protest, note the *fait accompli*, withdraw their diplomats from Vienna. The Holy See withdraws the Nuncio, the League of Nations keeps silence. It has nothing more to say, after Manchuria, Abyssinia, Spain, China; it is merely constrained to register the fact that Austria, a Member of the League, no longer exists.

The moves of the political game become accelerated. The Anglo-Italian Agreement is signed on April 15. The Non-Intervention Committee on July 16 fixes the lines of an agreement for the withdrawal

of the foreign troops from Spain. The Nazi Party of the Sudeten agitates for autonomy in Czechoslovakia. The British Government sends out a peacemaker, Lord Runciman, while Hitler mobilises over a million men for the summer manoeuvres. We are now in September. The Sudeten leaders refuse any agreement on autonomy and demand annexation to the Reich. Hitler threatens to occupy Czechoslovakia by armed force. Then comes Mr. Chamberlain's journey to Berchtesgaden, the agreement between London and Paris, bidding Prague give way. Mr. Chamberlain goes to Godesberg. It seems as if war is inevitable, with mobilisation in Czechoslovakia, partial mobilisation in France, precautionary measures in Great Britain. At the meeting of the four at Munich, Germany, Great Britain, France, Italy, agree to impose on the government of Prague the cession of the zones of the German Sudeten, giving an unworkable guarantee for the new frontiers. But Poland and Hungary demand their territories. There are armed threats and partial invasions. Czechoslovakia is dismembered and six months later is to be occupied by German troops. Slovakia becomes an autonomous State though nominally bound to Prague. Hosts of refugees leave the country; populations are forced to submit to new governments against their will. Germany dominates as master, in march towards the East. France and Great Britain are kept at a distance and look on, impotent and perturbed at the collapse of the whole post-war system of Central Europe. And while first Great Britain and then France exchange with Germany declarations of friendship and pacts of non-aggression, and seek to propitiate Italy by recognising the Italian Empire in letters accrediting their ambassadors to the King-Emperor (all this in November, 1938), the armaments race grows more and more intense, Great Britain is even prepared to introduce conscription if voluntary service fails, and the threat of a general war with the Italian pretensions to Tunis, Jibuti, Corsica, Nice and Savoy, and Germany's manoeuvres weigh again upon a disoriented, agitated and blood-stained Europe.

These grave events, of which we have traced the historic outline, would not concern us if they were not part of a profound moral crisis, which affects both the temporal order (the State and the society of States) and the spiritual order (the Church and churches). That is, our

whole civilisation. Anyone who thinks that in the events narrated there is nothing but a political connection, or indeed an episodic and incidental conjuncture, is deluding himself on the true reality of what is happening, which reaches to the very roots of our civilisation. Compare the American and French Revolutions, which, from the political standpoint, marked the end of the ancient régime in Europe and the colonies, and for this might be detested or extolled, while, considered in their profounder and ethical significance, they reaffirmed not a few Christian principles, though under a naturalistic aspect and even presented as opposed to Christianity. This is what happened after the Great War. The values of international co-operation (League of Nations), of inter-State justice (the Hague Court), of international co-operation of labour and capital (the I.L.O.), the system of colonial mandates for the raising of the native peoples and their progressive autonomy, the ideal of universal peace were principles established in the common conscience, though presented together with the peace treaties which contained injustices and were the law of the victor. The experience of the last twenty years, brief as it has been, has destroyed the League system. This fact in politics must lead to the formation of another system, either that of the hegemony of a Power or group of Powers, or one of equilibrium, or some other, for it is impossible for the world to be without an international system. But what is of import for civilisation is that this system should be founded on moral principles, and as such Christian, for there is no human morality that is not implicitly Christian, there is no immorality that can be upheld in the name of Christianity.

And here is the tragedy of our time. Nations like Germany and Italy, not to mention Japan, are more and more consolidating themselves on anti-Christian principles. For them, to destroy the system of Geneva was practical politics. But how could it be destroyed without a repudiation of its fundamental ethical principles? To say that Geneva was the hypocritical guardian of the injustices of the victory of the Entente, created in the name of justice and morality, and that therefore it had to be destroyed, might hold good if the principles in the name of which Geneva was repudiated were those of justice and morality. But the principles put forward have been those of aggression, as in the case

of Manchuria and Abyssinia and China, those of revolt, of armed intervention and civil war as in Spain, those of invasion and violent annexation as in Austria, those of the breach of treaties of alliance and of the violent dismemberment by armed force of a State, as in the case of Czechoslovakia.

At bottom there is the substitution of force for law, the permanent threat of recourse to war to induce the threatened Powers to give way and to oblige the small and weak to submit to the law of the stronger. There is the exaltation of the race and of the nation as the ultimate principle of morality, to which individuals and collectivities are made subject. This principle justifies the racial war on the Jews, the religious war on the Christians, the political war against dissidents, even against political nonconformists. This struggle brings the suppression of every liberty, of liberty itself, and the unconditional and divinised dominion of a person or of a party. Totalitarianism is as such immoral, for it admits the subordination to an irresponsible power of everything, body and soul, moral and material goods, national and international interests.

From the day of Hitler's advent to power and the proclamation of the race principle, the hurricane of anti-semitic persecution has swept through Germany. This has been the sign of a crisis of civilisation, for a principle of discrimination has been created that will go to the roots. In fact the persecution has extended to Christians, Protestants and Catholics, who uphold the principle of human brotherhood before men and before God. The anti-semitic persecution has spread as step by step the power and influence of Nazi Germany have increased—to the Saar, Austria, Danzig, Poland, Hungary, Roumania. When Austria was annexed, the anti-semitic laws and those against the Catholics were imposed with their full fury. It seemed as if anti-semitism and racialism would not cross the Alps. But no, Mussolini too is seized with a frenzy of anti-semitic laws and racial principles, and rages even against the pity shown by Italians towards the unfortunate victims. Now Czechoslovakia has been brought into line and persecutes the Jews. Even countries like France and Great Britain have been reached by the wave of anti-semitism, which has laid hold of a certain germanophile press and certain political philo-fascist sections, giving

the impression of a contagion the more dangerous the more it is unconscious, especially among the Catholics.

The German pogrom against the Jews came exactly a month after the surrender *à discretion* of the democratic Powers over the question of Czechoslovakia and in the height of the campaign for the return of the German colonies. The civilised voice of protest against such new barbarities has not failed to make itself heard. Not only the labour and socialist parties, not only the Christian democratic parties and the press of the Catholics of France, Belgium, Holland and Switzerland, but the whole of civilised opinion (with a few exceptions) has been roused. President Roosevelt in recalling the United States Ambassadors, first from Berlin, then from Rome, significantly expressed the reprobation of a barbaric anti-semitism raised to a method of government. The civilised nations that can still be accounted such, on the initiative of Holland, entered into an agreement to receive and assist the refugees from the anti-semitic persecution. This only rendered the dictators more recalcitrant and more ferocious in their proposals of extermination. The Hitler organ *Schwarze Korps* reached the point of writing in November, 1938, the following cynical lines: 'The Jews must be relegated to special streets, they must be distinguished by special signs and deprived of the right to possess land or a house.' This is the first step; excluded from every remunerative occupation, the Jews will be forced to turn criminal. 'When they have reached this point, we shall find ourselves in the necessity of exterminating the Jewish world with the methods that we always use in the struggle against criminals, that is, with the *sword and with fire*. The result will be the complete end of the Jews in Germany, their total destruction.'

All the Christian churches have risen up against such a monstrous attitude. But above all Pius XI adopted an eminent position with authority, continuity and inflexibility. It is sufficient to recall the circular of the Congregation of Seminaries and Universities, defining eight propositions of racialism and State totalitarianism as to be confuted in ecclesiastical teaching, both from the scientific and theological standpoints. When he learned that racialism had been introduced into Italy, the Pope, in an address on July 15, 1938, sought to define the Catholic standpoint. 'The universality of the Catholic Church', he said,

'certainly does not exclude the idea of race, of descent, of nation, of nationality, but the human race, the whole human race, is but a single and universal race of man. There is no room for special races. We may therefore ask ourselves why Italy should have felt a need to imitate Germany.' Against anti-semitism, he spoke even more strongly. This in its modern form has been condemned by Holy Office in a Decree of March 25, 1928.[1] The Pope wished to claim a semitic affiliation for Christians as did St. Paul: all are children of Abraham. Pius XI in an important talk to the Belgian pilgrims on September 6, 1938, gave lofty expression to this glorious descent and ended, moved to tears, with the phrase: 'Anti-semitism is inadmissible. We are spiritually semites'.[2]

To quote the addresses of Pius XI during 1938 on this question would take many pages; he combined the condemnation of racialism, anti-semitism and the nationalism that he qualified as exaggerated, and he emphasised all the peril they imply for our Christian civilisation. In the report of the address of July 15 in the *Osservatore Romano* we may note this significant passage: 'The Supreme Pontiff added that he had never thought of these matters with such precision, with such absoluteness, one would almost say with such intransigence of formula. And since God gave him the grace of such a clarity, he wanted to make his sons sharers in it, since all had a particular need of it in these times when such ideas raised so much tumult and did so great a harm.' A few days later, receiving the students of the College of the *Propaganda fide*, in regard to the nationalism that was reaching even the mission countries, he expressed himself thus: 'The nations exist and so does nationalism, but the nations were made by God. There is therefore room for a just,

[1]On the occasion of the suppression of the Association of the Friends of Israel, the decree of the Holy Office contained the following passage: '*Qua caritate permota Apostolica Sedes eundem populum contra injustas vexationes protexit, et quemadmodum omnes invidias ac simultates inter populos reprobat, ita vel maxime damnat odium adversus populum, olim a Deo electum, odium nempe illud quod vulgo "antisemitism" nomine nunc significari solet.*' 'Moved by this charity the Holy See has always protected this people against unjust vexations, and just as its reprobates all rancour and conflicts between peoples, it particularly condemns hatred against the people once chosen of God, the hatred that commonly goes by the name of anti-semitism.'

[2]*Cité Nouvelle*, Brussels, September 15, 1938.

moderate nationalism, associated with all the virtues, but beware of exaggerated nationalism as of a real curse. It seems to us unhappily that events justify us when we say "a real curse", for it is the cause of continual divisions and very frequently of war'.

This is the moral crisis of to-day in the relations between peoples, nations and races, the crisis of the denial of the permanent values of Christian civilisation, which still survive in the modern laic States and in the League of Nations, and which form the wholesome ferment of the religious currents in the various Christian countries, and above all are proclaimed by the supreme authority of Catholicism—values which the totalitarian countries deny for a policy of demands and predominion, and the countries known as democratic often betray through dissension, weakness, self-interest, and cowardice.

CHAPTER XV

THE PRESENT SITUATION

§ 61.—In order to determine the nature of the relations between Church and State to-day we must gauge the main factors of interaction and antagonism between them from the point of view of historical sociology. The laic State from its beginnings (which we placed, as a point of reference, at the Revolutions of the end of the XVIII century) brought no small change to the character and value of such relations and created fresh motives of antagonism. The present experience impels us to emphasise the fact that the laic State, in order to win complete autonomy from any factor conducive to dualism of power, has tended more and more towards a kind of 'confessionalism' of its own, for which the Church serves either as a term of opposition or as a constructive element. It is for this reason that the stages traversed by the laic State, seen as a whole, to-day appear as historically logical, with a rigorous rational connection, whereas, taken separately, period by period, or else in the states of mind of those who determined them or in their underlying theories, they appear inconsistent, here and there contradictory, and practically discontinuous.

The historical significance of the conquest of freedom of conscience, worship, assembly, speech and the press, paled when the laic State rid itself of the remains of absolutism and confessionalism, which had reappeared with the Restoration. It was not long before the positions were reversed; in all the varied and chaotic experiences of the new State a kind of 'laic confessionalism' was making its appearance, in as much as the State, in order to defend itself against its adversaries, old and new, denied them the liberties on which itself was founded. We use the term 'laic confessionalism' instead of the more usual one of 'State conformism,' for the laic State sought to obtain from its citizens not merely formal and outward assent (which would suffice for a

certain conformism) but a convinced and entire support, which is best expressed by the word 'confessionalism'. Instead of a confession of faith in God and in the Church, there was a kind of confession of faith in the laic State. As little by little this was extending its sway over individual activities, with control and monopoly in culture and education, and subsequently in economic and political life, liberties were restricted or falsified or suppressed. This reversal of the positions has reached its climax to-day with what are known as the totalitarian States.

The Church, which, towards the end of the XVIII century and the beginning of the XIX, had been against the introduction of political liberties, in the following period of veiled or open separation and strife was compelled by events to demand these liberties for herself, in place of the old privileges that had been abolished, if she would carry on her religious activity. But liberties are coherent or they cannot exist; if they were denied to the Church as the adversary of the State, they would soon be denied to all who were considered as adversaries of the State (whatever might be its prevailing character), till they became the monopoly of the Government and its faction. If on the other hand the Church demands them for herself, she admits or supposes that such liberties are general for all. The tendency to refuse liberties to the adversaries of power, especially to the Church, so considered through her historical position, sprang precisely from the conception of the State as having its own ethical content, autonomous and all-embracing. This was inherent in the laic State of the XIX century, but there was no real consciousness of it.

This fact has characterised present relations between Church and State; the resulting situation has no parallel in the history of Christendom. In the earliest period, the Church represented the preaching of an exotic minority that was insinuating itself into the Roman Empire, and was persecuted as an element of disturbance and impiety. Although the Roman Empire was authoritarian, often tyrannical, and compelled its peoples to worship the Emperor and the Goddess Rome, it was in no wise either a laic or a totalitarian State as this is conceived of to-day. From Constantine to the Reformation, the Christian basis of the State was a progressive achievement. Originally outside the Church, the

secular power became co-operant and often dominant within the Church, working for religious ends, whether those understood by the various currents outside union with Rome, or those of Catholic orthodoxy. In the Reformed States, notwithstanding the mutual antagonism of Catholics and Protestants, the Christian and religious basis of the political power was never questioned. Indeed the union of the temporal with the spiritual was so close that the spiritual suffered; protection, control and mutual superposition ended by confounding the characters and ends of the two powers in a politico-religious confessionalism. Reaction to this led first to toleration, then to laicism, with or without the formal separation of State from Church. But the modern State, born with the Renaissance and reaching maturity with the Reformation, remembered its original titles, and, while at bottom not wishful for separation, proclaimed its *autonomy* in the name of natural law. This would turn to *separation* in the name of liberty, *opposition* in the name of democracy, *laicism* in the name of bourgeois and working-class radicalism, *totality* in the name of nationalisms and racialisms of every species. Each of these principles was a denial of Christianity under particular aspects—jusnaturalism as natural law cut off from the supernatural; liberty as the autonomy of human reason; democracy as establishing the origin of authority in the Sovereign People (ignoring God or denying Him); radicalism as the vindication of human and social rights that were not recognised by the political and religious powers of the time, then in union; nationalism and racialism as forming a social totality in which the individuals were confounded and submerged, with all their values, including those spiritual and supernatural.

This process, like every historical process, has neither followed a straight line, nor lacked opposition and moments of recoil. Without such conflicts it would not have been a process, and they have not checked its course. The elements brought into it by the resistance and penetration of the Church have added particular features, which it would be vain to ignore or to minimise, or to take as dross to be purged out in the melting pot of history.

The laic State carried with it a notable ethical element, imbued with Christian values. It is true that the theoretical premises and ends of this

ethic were prevalently naturalistic, but the principles of the respect of human personality, of individual liberty, of legal equality, of justice in private relations without distinction of class, of abolition of slavery and legal serfdom, were impregnated with Christianity. The failure to recognise this was the mistake made by many, who sought to defend as it stood the historical position to which the Church was then bound.

It was not long before the social rights of the working classes were put forward to counterbalance the errors of economic liberalism, which had created the army of proletarians. Marxist theory and the anarchist movements that accompanied and incited the vindication of the workers' demands should not have blinded men to the Christian elements these contained, as justice and charity. Of this enlightened men were aware, such as Lacordaire, Montalembert, Ketteler, Windthorst, Manning, Balmes, Mermillod, La Tour du Pin, Volgesang, Winterer, Decourtins, Harmel, Toniolo, and others, even before Leo XIII took up the workers' cause. The time that elapsed between the Communist Manifesto and *Rerum Novarum*, nearly half a century later, shows its effects even to-day in the dechristianisation of the working masses.

Finally, international peace and the comity of peoples were Christian ideas that the French Revolution took as its own and the Holy Alliance revived for the benefit of political reaction. Later they assumed a colour of humanitarian pacifism, and thus because of the naturalism underlying them they were opposed by Catholic writers, till with the outbreak of the Great War the catastrophe brought them back as realities of Christian thought, and Benedict XV expressed them in undying words in his letter of August 1, 1917.

These and other Christian elements that had found their way into the laic State under naturalistic guise, are to-day denied by the totalitarian State, not only through failure to recognise the moral values they imply, but principally because these are subordinated to the supreme values of the State. This process was a partial one in the earlier forms of the laic State, but it went forward steadily, with the absorption of every autonomous value into the single value of the whole. All the efforts of the Church to give a religious content to the ethical, social and international advances of modern times, have broken against

the antagonistic will of the State to absorb and reduce everything into itself.

The struggle between Church and State during the Reformation was waged chiefly over a particular confession, accepted and upheld as the State religion. In the period of the Revolution it was, fundamentally, the defence of the historic rights of the Church against a veiled or open separation. To-day it is carried on in the moral field, in the fundamental conflict between the morality of Christianity and that of the State. It would be inexact to speak of 'state morality'; at bottom it is a case of Hegel's 'Ethical State'. Few really know the Hegelian theory of the State and not all understand it in the same way, but whatever its metaphysical premises, the currents of thought, the practical trend of the prevailing governments and parties, the formation of public opinion, all tend to identify the political ends of the State with the ethical conception of life. This implies the 'Ethical State', origin and fount of liberty, morality and right, norm and end of individuals who in the State find unity and sublimation.

Christianity is menaced by a powerful antagonist which without being either a religion or a divinity assumes the character of both, to cancel them, were it possible in itself, and certainly to absorb or dominate them. Christianity, studied from the sociological standpoint, as we have seen, is a personal, universal, autonomous religion. The State, as the end of all activity, to-day claims human personality for itself and suppresses all liberty in order to transfer the course of liberty to the group that it represents. It leaves, it is true, freedom of worship (even in Russia nominally, in Germany with restrictions, in Italy effectively), but it seeks to render it barren by separating morality from worship and emancipating State morality from any heteronomous bond, the source of which would be other than the State itself.

Individual morality was the first to be proclaimed autonomous. How could the State stand without a common morality as basis of social life? What authority could be attributed to codes and laws? Through the inadequacy of the individual will and the difficulties of reconciling its autonomy with its subordination for social ends to the will of the majority, the State came to be conceived as a vital and perennial totality of these very individuals. This was the title of the State to the name of

'ethical'; the State alone therefore would be truly free, for no one could lay down rules for it and no one could bind it either inwardly or outwardly. Being free the State itself would be morality because it was the State.

The morality of the Church either coincides with that of the State or should be eliminated. The State not only takes no account of it in its laws, which may include anti-Christian measures such as divorce, legalised abortion, eugenic sterilisation, compulsory laic education, Nazi, Fascist or Communist, but it sets its authority above the Church, forcing the Churches to give public support to the acts of the political power, even when these are immoral, such as breach of treaties, unjust war, civil war, hate-propaganda, persecution of religious, political or racial minorities. The exaltation of similar misdeeds to-day is such, and so grave is the fanaticism aroused in the masses, that the idea of social group (State, nation, class, race) makes it hard to conceive of a personal religion bringing the obligation to repudiate the law of the group and to seek purification for the crimes and misdeeds it may have committed. Hence the character of a personal religion, possessed by Christianity ever since it first appeared, is stricken at the roots.

The universality of Christianity may be contested by the political power either as hierarchy or as dogma or as morality. The confessional States always sought to undermine the universality of the Church in her hierarchy, and, by rebound, in her dogma, leading to heresies and schisms; only indirectly was Christian morality affected, in the cases of royal divorces, simony in the investiture of benefices, or the concubinage of priests. But in these cases no one pretended to create a new morality, nor were divorce, concubinage or simony proclaimed as acts of a higher and therefore heroic morality, springing from a higher ethical conception than the Christian.

The laic State, in proclaiming a morality of its own, created an irremediable dualism with Christian morality, but so long as the State left the individual citizens free to profess, propagate and defend their moral and political ideals, there was no danger of an ethical schism between the faithful of a particular State and the Church. When, however, the laic State claimed to impose its own morality on all, in the name either of the will of the people (as in the radical democracies) or

the will of the nation, or of the class or race (as in the totalitarian States), then apostasy, initially confined to the central power, became the apostasy of the masses.

In consequence autonomy, which is the third sociological feature of Christianity as a personal and universal religion, (that is, above the social groups—family, nation, State, comity of nations), suffers an exceptionally far-reaching limitation in the ethical field. Each particular State seeks to impose its own morality, which consists in the divinisation of the new whole it would incarnate. 'The man who in every nation prays to the God of peace does not make a god of his own nation', wrote Pius XI in his letter *Caritate Christi compulsi*. To-day the totalitarian States train the masses to make a god of their own nation. Christianity is thus stricken in its three characteristic features, as a personal, universal and autonomous religion.

§ 62.—The empire of the State over the soul is in continuous progress both where evolution towards the totalitarian State is reaching fulfilment and where the State, while not totalitarian, seeks to give its own imprint to the educational and cultural formation of the country. It is the task of all the Christian churches to resist. The more they can counterpose a truly modern Christian formation, the better will they be able to face the new peril. It has been easy for them to organise in the sphere of modern culture and education in countries where all enterprises are free, and where the State does not interfere to direct education, as in the United States, and, apart from certain differences, in Great Britain, as in Holand and Switzerland too, when the last resistance of Protestantism had been overcome, and finally in the Scandinavian countries with the fall of the last barriers raised by the Reformation against free cultural movements. Belgium was noted for the long fight of the Catholics for freedom of the school. France, in spite of her positivist laicism, has up till now been able to save the confessional schools and to open various Catholic Universities, which have had no small influence in checking the dechristianisation of studious youth.[1]

[1]In Italy under the liberal régime educational freedom was never won, Catholics stood outside political life, and the Roman Question preoccupied the governments. This notwithstanding, private Catholic schools arose and several obtained parity with

One of the most notable enterprises of the Catholic Church to-day has been the formation of intellectual *élites* and the spread of Catholic Action, even in the mission countries. We noted the birth of a Catholic lay movement in the middle of the last century, with the character it then assumed, of an anti-liberal reaction yet taking up the political position rendered possible by the régime of liberty, and later a social position in the Labour or Christian Democratic field. It was Benedict XV who in 1915 unified the Italian movement under the name of Catholic Action (which had already been used by Pius X), and dissociated it from electoral organisation. Pius XI confirmed its character as a lay apostolate in dependence on the hierarchy, and promoted its formation in all countries, making it a matter for concordats. Those who see in the dechristianisation of modern society a return to paganism and in Catholic Action a co-operation in the priesthood, often recall the example of the early Church, when the laity, men and women, co-operated in the labours of the apostles and in the propagation of the Gospel.

It cannot be doubted that for the last century the Catholic laity has given many remarkable examples of spiritual elevation, self-sacrifice, courage and militancy. There have been flowers of sanctity, as in Italy Giuseppe Toniolo, the theorist of Christian Democracy and for half a century the champion of Catholic Action, Vico Necchi and Giorgio Luigi Frassati, both of Catholic Action and of the Popular Party (the informatory causes for their eventual beatification are now in course), and in France Marie-Pauline Jéricot, Léon Harmel and Marius Gonin, not to mention the great figures of the past, most notable of all O'Connell, Montalembert, Windthorst. The recent movements of Catholic working-class youth, like that of the Jocists[1] and others similar, are

the State schools. On the foundation of the Popular Party, its most vigorous battle was for the State examination, which would have done away with the scholastic monopoly. At the same time, through private initiative, the Catholic University of Milan was founded, and was inaugurated in 1921 by a Popular minister. It was the Fascist Government that recognised it as a public institution and convalidated its degrees.

[1]Founded in Belgium, and diffused in other countries. The name Jocists comes from the initials J. O. C. (*Jeunesse Ouvrière Catholique*). The English equivalent is known as the Young Christian Workers.

developing with an enthusiasm that exceeds that of Christian Democracy forty years ago, and recalls in certain respects the medieval movements of the Franciscan Third Order.

The Protestant churches have no precisely similar movements. Some of them, congregationally organised, have always maintained a co-operation between clergy and faithful. On the margins of the churches, however, there are certain movements of a special character. The Salvation Army has over sixty years of indefatigable labour behind it. For a time there was much talk about the 'Oxford' Group Movement. Its aim was to restore the men of to-day, deafened by external life, to an inward spirituality founded on purity, love, honesty and unselfishness. From the Christian point of view a movement of this kind, not being a church, could exert only an individual influence within the various denominations into which Anglo-Saxon religion is divided up.

Catholic Action has no political character and does not seek to substitute itself for the political parties formed by Catholics where these still exist (as in Belgium, Holland, Switzerland), nor to take their place where they exist no longer (as in Germany, Italy, Austria, Czechoslovakia). To understand the impulse behind Catholic Action we must realise the idea of a Christian apostolate within a modern State, whether democratic or totalitarian, where politics affect the whole of life. A lay apostolate in the Church has never been wanting, both in the Catholic and in the dissident churches, according to the needs of the time and the phase of culture. The basic idea of Catholic Action is the Christian formation of all, of every class and age, beginning with the children, so that all may co-operate in the priestly ministry and share in its very mission. It is natural that Catholic Action should concern itself with the formation of the Christian as a citizen, to give him a clear conception of national and international, political and social problems, so long as this does not only not conflict with Christian principles, but responds to the very spirit of Christianity, which is one of truth and love.

It is inconceivable for a man of Catholic Action to accept the ethico-political conceptions of naturalism, rationalism, positivism, Hegelianism, in the same way as he cannot accept the practical expressions of

liberalism, Communism, Socialism, Fascism and Nazism, inasmuch as they contain erroneous or anti-Christian theories. The Christian has his own conception of earthly life and of supernatural life, which he must assert in his life as a citizen and in his apostolate in Catholic Action. Is this politics? Indeed, the charge repeated in Germany and Austria against the Catholic organisations is the same as that which in Italy in 1898 led the Conservative Government to dissolve them all by decree, in spite of the protests of Leo XIII. Mussolini's Italy did the same in 1927 with all the sports associations and, in a violent manner, in 1931, with the Clubs for Catholic Youth. In the summer of 1938 he threatened rigorous measures against Catholic Action itself, because of its opposition to the racial theories adopted by the government of Rome.[1]

At the bottom, there is an irremediable confusion of terms. The modern State aspires to be a *Weltanschauung*, a conception of the world and of life, in substance, a religion. Christianity too is a *Weltanschauung*, besides being a supernatural religion. Between Christianity and the modern State conceived as a *Weltanschauung* conflict is inherent and inevitable. It may be carried on in a civilised fashion in countries where the State loyally observes the method of liberty, but it becomes open

[1]Pius XI in his Allocution to the College of Cardinals on December 24, 1938, speaking of the tenth anniversary of the Lateran Treaty and Concordat with Italy, felt himself obliged to say—'as a debt of apostolic sincerity and truth, and for the edification which, also because of our age, we owe to all . . .'—that this anniversary had brought him 'real and grave anxieties and bitter sorrows. Bitter sorrows indeed', he went on, 'when it is a case of real and multiple vexations—we do not say that they are precisely general but certainly very numerous and occurring in several places—against Catholic Action, which is well-known to be the apple of our eye. Catholic Action—a fact that has had to be recognised and confessed as resulting from the seizure of various of its headquarters and archives—neither engages in politics nor brings an undesired rivalry, but solely seeks to make good Christians living their Christianity, and by that very fact elements of the first order for the public good, especially in a Catholic country like Italy, and as the facts have proved.

'Noting the zeal among inferior strata, it seems too clear that although Catholic Action was distinctly envisaged in our Pact of Conciliation, there must be wide—or rather secret—gestures of permission and encouragement from the top, so that these vexations are incessant in different places from end to end of the Peninsula. And not only in small or unimportant places. Yesterday we were told of Venice, Turin, Bergamo. To-day it is Milan, and precisely in the person of its Cardinal Archbishop, guilty of an address and a teaching that falls precisely within his pastoral duties, and which we cannot but approve.'

strife where the State denies liberties to the Church, and when, worse still, liberty is suppressed for all and State interference covers the whole of human life. Then the Church is persecuted, for even in the catacombs she arouses fear (as to-day in Russia); deprived of all human resources and able only to pray she arouses fear (as to-day in Germany and in Austria); if she merely protests against an erroneous theory or against a moral violation, she arouses fear (as to-day in Italy). The Church is always the spiritual antagonist of a State that seeks to become the *Whole*.

The Holy See has sought to avoid religious conflicts with the totalitarian States, giving way wherever this has been possible, to remove the motives or pretexts for persecutions. To-day concordatory methods are preferred, in order to define the positions involved and to carry disputes that might arise on to a legal plane. Since the Napoleonic Concordat this method has been widely used to ward off the blows of the authoritarian States and to systematise positions compromised by modern laicism combined with the remains of the old jurisdictionalism. Since the Great War two types of concordats have been employed. The one is a *modus vivendi* to establish the position of the Church in respect of her hierarchy and Catholic culture and education, either with a laic State or with a non-Catholic State in which there are Catholic provinces. Such were the Concordats with the three States of what was once the Little Entente and with some of the States of what was once the Weimar *Reich*. The other type has a wider scope, implying over and above the sections concerned with canonical questions a kind of co-operation of the Church for the ends of the dictatorial State—such the Concordat with Italy in 1929 and that with Nazi Germany in 1933, of which we have already spoken. By this we do not mean to disparage what good may result from such concordats; we wish merely to underline the fact that the States exacting such a co-operation do so through their intrinsic totalitarian character, and for their part cannot but subordinate their acceptance and execution of the Concordat to the ends of the State. The Canonists of the Curia once, in the face of the Regalists, maintained that concordats were not contracts implying the parity of the contracting parties, but gracious concessions made by the Holy See, through which it voluntarily bound

itself to the States. To-day the theorists of the totalitarian States reverse the positions; it is the State that graciously binds itself to the Holy See so long as this falls in with its totalitarian policy. Germany acts on this theory, violating the concordat (which served the purpose of moral recognition of Hitler's dominion) openly and without scruple, and preparing to denounce it. Italy has nearly always observed the Concordat, save recently by the anti-semitic marriage laws, but on condition that the Church should not disturb her enterprises. The state of affairs that could arise between them was indeed apparent in the spring of 1931 over Catholic Youth. If by chance a certain number of bishops had raised obstacles to the military training of infancy (one of the worst measures of the régime) or had merely expressed reservations on the justice of the African war, then, in spite of the Concordat, they would have felt the thunderbolts of Fascism.

In March, 1937, Pius XI published three Encyclicals, one a week, which form an imposing and characteristic summary of the present situation of Christianity in the face of the totalitarian States. The first, *Divini Redemptoris*, is not only a reiterated and more mature condemnation of atheistic Communism (as seen in the experience of the Bolshevist régime and its propaganda in the working class world), but an urge to a reconstruction of the labour world on Christian and humane foundations—an enterprise that meets with its chief obstacle in the powerful tentacles of Capitalism, which has infected the propertied classes with its materialistic spirit. The second, *Mit brennender Sorge*, is in defence of persecuted Catholicism in Germany, and in condemnation of the Nazi and racial theories in the name of which persecution has been launched. Without naming them, but describing them, the Fascist theories divinising State and Nation are condemned, as they had been in the Encyclical *Non abbiamo Bisogno* of June 1931, against the Fascist persecutions in Italy. The third encyclical, *Nos es muy*, is addressed to the Bishops of Mexico, on resistance to the dechristianisation of life in their country, on the rights of Christians as citizens, on the character and limits of resistance to the constituted powers, on Catholic Action and its office.

In all three encyclicals two fundamental themes prevail. The one is the integral supernatural conception of life in all its phases, private and

public, economic and political, in the name of which materialism, atheism and pantheism, to-day predominant in the theories and activities of the States, must be fought and overcome. The other is that of the action of Catholics who, like the early Christians, by their apostolate and sacrifice must save classes, States, society, all their brethren who are carried away by error and iniquity.

From March 1937 to the end of his life, Pius XI took up an ever clearer and more resolute attitude in the ideological conflict raging in the world. To the Social Week of the Catholics of France in July, 1937, which dealt with the theme of human personality, to-day imperilled, he sent a letter through his Secretary of State, Cardinal Pacelli, extolling the human and Christian value of the person, who is the end of the State and of every other society, never a means to the State's end. The Social Week the following year dealt with Liberty, and the Pope's letter, sent through the same channel, is one of the most illuminating documents on the nature of true liberty. We may note this significant passage: 'It is not surprising that the Church has remained the sole and greatest defender of true liberty'.

The experience of Bolshevik totalitarianism created a belief that the remedy for working class agitation inspired by Communism would lie in the totalitarian régimes of the Right. Hence the favour with which Fascism and Nazism were greeted by industrial and agrarian capitalists (who were profuse in economic help when these movements started), and also among the bourgeoisie and among those Catholic sections that feel the influence of the propertied classes. We have seen how the German bishops, with a few exceptions, were hostile to the Nazis. Those of Italy were not favourable to the Fascists, but once these had reached power, it was believed possible to try a new union of 'Throne and Altar', that is, of the dictatorship and the Church. The experience of German Nazism has given a negative result. Catholic Bavaria has lost all its confessional schools; Catholic Austria in a few months has been spiritually laid waste, through the Bishops' trust in Hitler and the lack of moral resistance among the Catholics. A characteristic fact in Austria has been the apostasy of hundreds and hundreds from the Catholic faith, for a Nazism conceived of as a spiritual totality. In Italy motives for grave anxiety had not been lacking. The experi-

ence of such forms of totalitarianism has given the hierarchies of the Church a new appreciation of free régimes; as a result we have had the collective declarations of the bishops of France, Switzerland, Holland and Belgium in favour of the régimes of their respective countries, which are democratic, where men may still freely manifest their ideas and convictions and are free to organise. Cardinal Dougherty of Philadelphia, in his pastoral letter of November, 1938, hoped that the United States would become 'the fortress of democracy at the turning point of world-history, and that they would fight energetically against those who even in America mock, attack and endanger these principles. Freedom must be preserved and those subversive doctrines fought which threaten to destroy all that is just and noble in the land of liberty which is America.'

This movement of opinion among the Catholic hierarchy in free countries in no wise means that the Church, and through her the Holy See, has changed the traditional system of treating with all governments and continuing relations even with governments that attack her, as to-day in Germany and Mexico. It was not through the Holy See that in Republican Spain public worship and the hierarchy were not re-established. A first cautious hint at the reorganisation of public worship was made towards the end of 1938. Even with Russia the Holy See would re-establish contacts. When the Russian Delegation of the Soviets intervened in the Genoa Conference, in May, 1922, Pius XI spontaneously sent a representative, Cardinal Pizzardo (then a Monsignore in the Secretariat of State) to confer with Chicherin, then Foreign Minister. But the Church needs liberty, it is her right to demand it, and to-day liberty is her only safeguard against the totalitarian tendency that threatens the world.

The Protestant churches in the totalitarian countries, since unlike the Catholic Church they had no single organisation of doctrine and discipline extending throughout the world, found themselves isolated in the face of the political powers. Some churches gave their complete adherence to the political régimes of the country, in order to preserve their own personality (thus they did in Italy), or to gain momentary advantages, as recently in Austria, or where clergy and faithful were divided between those who favoured the régime and those who were

against it, as in Germany. Those who fight with courage and perseverance have the sympathy and solidarity of the Protestant Churches abroad, especially the Anglo-Saxon ones on both sides of the Atlantic, and through these they can affirm the principles of liberty, morality and autonomy of the religious conscience as against the political power and the totalitarian and racial conceptions on which it rests.

A place apart must be reserved for the position of the Church of England. Through the instinct of conservation and tradition peculiar to this country, the Church of England finds itself, in its formal positions, what it was in the past, with no modifications other than an adjustment of its relations with the Crown and Parliament. Yet the substance has been changing as little by little the régime of toleration gave place to a régime of liberty for all religions, including Roman Catholicism, and gradually the State took such civil measures as those concerning divorce, the undenominational school, freedom of education, the impunity of offences against religion and recently of blasphemy, which completed (without saying so) its secularisation or laic character. This notwithstanding, the Church of England has remained the official church, legally and in its administration. The King receives religious consecration (like the Orthodox kings), and takes an oath of loyalty to his church. The bishops are appointed by his government, Parliament decides on the proposals of the Church Assembly in questions of doctrine, formularies and ecclesiastical justice.

A considerable stir was caused by the Prayer Book controversy, which provided a motive for reconsidering the relations between Church and State. The Church assemblies had proposed modifications corresponding to the demands and currents among clergy and laity, especially over Holy Communion and the reservation of the Eucharist. Parliament, exercising a kind of guardianship in the name of the common feeling, rather than a dogmatic and liturgical control, for which it could hardly claim competence, had the right of accepting or rejecting the new version as it stood. A majority voted against the innovations to the 1662 text, among the members who voted being some who did not belong to the Church of England. The resentment of the clergy in favour of the new Prayer Book was such that they adopted its use in their own churches. The bishops in order to get out

of the difficulty subsequently authorised the use of the new book pending a fresh attempt at legislation when the time was ripe; this decision was criticised as unlawful. Discussion, which had arisen on other occasions, was then revived on the question whether the relations of the Church of England with the State should not be altered and whether it would not be better to reach disestablishment. Many oppose the idea of separation and consider it necessary to maintain the Established Church, because of the privileges it so enjoys over all the others, and for fear of an increase of influence of the Roman Church,[1] or in order to maintain the Christian character of the Crown of the United Kingdom and of the British Empire itself.

It is not surprising if, in the midst of such variations and upheavals, the Church of England continues to hold its old positions. From the internal standpoint, it cannot be said to have a fixed and common creed; the rationalistic current of theology (known as liberal, or even modernist) is very strong and sets an axe to the roots of dogmatism; the other current, that of the Anglo-Catholics, seeks to revive the pre-Reformation ritual and accepts from Rome many devotional practices (including the cult of the Sacred Heart). Where an inward unity is lacking its place is taken by an external and formal unification in the State and in the hierarchy dependent on it. All this corresponds to the rather indefinite religious spirit and the pronounced individualism of the Anglo-Saxon countries, so that neither Church nor State represents a complete collective unification, but only a centre of an administrative, organic and legal character. Here each individual is his own State and his own Church.

It is not the same in Scotland, where the Church is independent of Crown and Parliament, though its existence and its rights are recognised. The congregationalist and puritan spirit has been preserved against all the encroachments of the kings of the XVII and XVIII centuries, and in spite of the introduction of the régime of liberty. Recently the Established Church and the United Free Church of Scotland have joined together, but their sense of autonomy is enough to guarantee the personality of each. The schools are State schools, but

[1] 'The Church of Rome would gain much ground and claim more.' (*Church and State*, by the Bishop of Norwich, 1936, p. 11.)

all the churches (including the Catholic Church) appoint boards of education by a system of proportional representation.

With the formation of the Irish Free State (now Eire) and the resurrection of Poland, there were Catholics who thought it possible to return to the confessional State, known euphemistically as the Christian State or Catholic State. These had none too clear ideas on the nature of a Catholic State, but in both cases Catholicism became bound up with a typical nationalism founded on the Catholic tradition of the country. In reality, neither one nor the other could be inscribed on a past of historical struggles, political and confessional, to-day left behind. Ireland installed democratic forms of government and inter-confessional toleration. There was indeed a certain attempt to introduce something of ecclesiastical control into public life, but it came to nothing since it was exploited by both parties, which, apart from their different conceptions, are both catholico-national. Poland passed rapidly from ultra-democratic to dictatorial forms. Traditional Catholicism was exploited by the nationalistic spirit in the struggle against the Ukrainians of Galicia. Anti-semitism, the influence of German Nazism and anti-Ukrainian nationalism have made the position of the Church in Poland an extremely difficult one.

After the Lateran agreements a section of the foreign press, from ingenuousness or ignorance, spoke of the Catholic State of Fascist Italy. The illusion was short-lived, save among those who still take their vain wishes for realities. The idea of the Catholic State was revived with the none too happy experiences of the Austria of Dollfuss and Schuschnigg. These, good Catholics but poor statesmen, had the illusion that their anti-socialist, authoritarian and philo-Fascist policy would enable them to realise their dream of a Catholic Social State, based on the encyclicals *Rerum Novarum* and *Quadragesimo Anno*, and there were those abroad who believed in it and wrote of it with enthusiasm. They did not realise the fundamental contradiction of a minority government of Catholics, representing not more than a third of the people and in disagreement among themselves, seeking to impose on the other two-thirds (Socialists, Pan-germanists and Nazis) a type of State that had no traditions of its own, as if it had dropped from heaven. They did not understand that the support of Fascist Italy was conditional on

the introduction of an anti-democratic and authoritarian system, on the crushing of the Socialists (hence the bloody revolts of February, 1934), and that Nazism was undermining Austrian independence. In such a climate the attempt to revive Austrian and Catholic patriotism (with a dubious Hapsburg tinge) and a corporatism imposed by authority even though clothed in papal phrases, was merely a pious illusion. Dollfuss fell a victim to assassination, Schuschnigg lost Austria, at the cost to himself of unmerited sufferings as Hitler's political vengeance.

Those who still seek for a Catholic and corporative State in the present day go to Portugal to study Salazar's experiment. Salazar, an excellent administrator and almost a silent dictator, has the merit of having placed the finances of his country on a sound basis. His corporations show the effects of the climate of State authoritarianism in which they were born, and of which they are emanations. The Church of Portugal has been able to take up an active and autonomous position from the time that, following the lines laid down by Benedict XV, it accepted the republican State without dynastic *sous-entendus* and without attachments to the *ancien régime*, and from the time that the Republic abandoned the anti-clericalism from which it had arisen with the overthrow of the monarchy. It is to be hoped that the Salazar experiment will not lead to a new wave of anti-clericalism. For Portugal is half-way between Europe and Latin America. And in those countries the passage is easy from concordatarism to fanatical anti-clericalism, just as it is easy from democratic forms to pseudo-dictatorships and vice versa.

Spain remains. The very people who deluded themselves over the Catholic State of Austria or Portugal, were ready to believe in a new Catholic State in Spain, under a Franco victorious over the Reds, who would install a Christian corporatism in close union with the Church. All General Franco's acts have been imbued with the ideal of a national and Catholic Spain. The shadow of Phalangism, which arose in imitation of Fascism and then came to set its course more and more by Nazism, was not unmarked by the hierarchy. But the necessities of war for long led to a minimising of the dangers of totalitarianism.

In this illusion of the Catholic State (or Christian State), there is at

bottom an inexact vision of history. History is not reversible; the historical process, in spite of its involutions, goes steadily forward. One experience is followed by another, and each is that particular experience, with its own character. The Christian State of the XX century could be neither the corporative State of the Middle Ages nor the confessional State of the Reformation and Counter-Reformation, nor the Union of Throne and Altar of the Restoration on the Continent. To-day we have the totalitarian dictatorship, or the democracies of a liberal type, or the intermediate and ambiguous forms which end by becoming unstable and arbitrary governments or transitory and anarchic demagogies. The Church has not to choose between them, for it is not her task to choose the political type of the State, but she cannot identify herself with the totalitarian State merely because its governance is in Catholic hands (as in the case of Franco or Salazar, or of Dollfuss or Schuschnigg), without assuming responsibilities for the oppression of the dissentient population not only in the name of a totalitarian government, but in the name of the religion which that government has made its own. This danger is to-day all the greater in that there is a wider zone of the population practising no religion, apart from those belonging to other churches. But that is not all. Every totalitarianism bases itself on certain mystical elements (race, class, empire, nationality and the like); there could be nothing more dangerous than a totalitarianism basing itself on Catholicism, or uniting Catholicism with its own profane mythus.

Just as the Church remained above the liberalism, democratism and socialism of the XIX century, so she must remain above the totalitarianism of the XX century. She cannot but treat with the laic States, whatever their nature, on a basis of religious morality and respect of human personality, which are at the basis of Christianity. And while for the Church it is necessary to concede to the State, or better, to the temporal society, all that is not repugnant to the essence of Christianity, yet since that society is to-day fundamentally laic, she cannot but maintain her own personality and an ever more visible and stronger autonomy.

The same criterion is adopted by the Church in the mission countries which have their own civilisation and their own political organism, so

as to create real relations between State and Church. The national public rites in China, India and Japan and among other peoples of old civilisation, have always had a religious character, so that Christians could not take part in them. This prohibition gave conversion to Christianity the aspect of a denationalisation, of a repudiation of the caste, race, country, of a separation from the society taken as a whole. Hence an insuperable obstacle (and not the only one) to the spread of the Gospel. The attempts at a compromise made by the Jesuit missionaries in China, which created so much stir in the XVIII century, was completely abandoned as a result of a Roman decision. The situation has to-day changed, both through the fall of the Chinese Empire, and through the recent public declaration of the State authorities of Japan and Manchukuo, that the national ceremonies 'have no religious character whatever'. A letter from the Vicar Apostolic of Manchukuo in March, 1935, to the Cardinal Prefect of the *Propaganda Fide*, reported the opinion of the bishops on the conduct to be followed by Catholics in these circumstances; the measures they had adopted received the approval of Rome.[1]

The *Osservatore Romano* in publishing this interesting document on July 2, 1936, noted: 'Even in recent times certain civil ceremonies appeared too bound up with superstitions and therefore they were believed forbidden to Catholics. But in this last period there has been a profound evolution in the thought and customs of the Far East. The atmosphere which in past centuries was, as it were, impregnated with superstitious sense, has been rarefied and transformed by the laic thought and by the religious liberty imported from the West'. It is evident, indeed, that laic thought has been an influence in the achievement of religious liberty even where, as in the Eastern empires, the religious conception is closely bound up with the divine or quasi-divine character of the dynasty. From the disengaging of the civil from the religious, Christianity has everything to gain—it indeed may be

[1]Catholics are authorised to tolerate: (1) that the image of Confucius shall have a place in their schools, even in a niche if this were ordered, so long as it is declared that the honours paid to it are civil honours, and no altars are set up before it; (2) that civil and military officials may go as a body into the pagodas in the suite of the authorities, so long as they do not take part in the religious songs but only in the civil and patriotic songs, and so long as they do not partake of the sacrificial victims, etc.

noted to-day, now that the relations of Catholicism with such States are on a plane of freedom and friendly understanding.

Another difficulty, which is still a grave one, for missionary preaching in territories occupied by European States, comes from the exploitation of the coloured races, or else from the political and *policier* methods employed to keep in subjection peoples already ripe for independence. The missionaries themselves have not been wholly free from an imprudent nationalism and an inopportune attachment to their own flag, and this has prejudiced an apostolate that should cut itself off from any tie with its country of origin. Therefore the Catholic Church lays stress on the formation of native clergies and has reached the point of appointing coloured bishops, where the centres of faithful are sufficiently prepared to ensure a dogmatic and moral tradition. The formation of missionary *élites* is widely used by the Protestants also.

The position of the Christian missions is exceedingly difficult in the face of economic exploitation of the natives by undertakings authorised by the colonial governments. Forced labour (for it is a case of this) has grave consequences, moral, domestic, social, hygienic. The missionaries, if they speak out, are often looked upon askance by the government representatives. If they do not speak they are false to their duty of defending the oppressed. Religious propaganda is thus compromised. The problem often cannot be solved on political lines, either those of the metropolitan country or of the colony. The intervention of the League of Nations is here more necessary than ever.

Unhappily, the weakening of the League has extended to the colonial field, where to-day little stress is laid on the obligations assumed by the States through the institutions of the mandate. This, applied to the countries taken from Turkey and to the colonies of the old German Empire, should have been a first step in a process of moral, economic and political elevation of the subject peoples, tending towards their autonomy in an international system of law and towards a civil parity between the colonial country and the metropolitan country. The groundwork of this process consisted chiefly in the abolition of slavery, the prohibition of native recruiting on the part of the mandatory countries, a prohibition to establish naval and military bases, and so on. To-day there is discussion of the return of colonies to Germany, uncon-

ditionally and without the intervention of Geneva, as though the mandatory powers were the owners of them and could dispose of them at will. No account is taken either of the wishes of the natives, or of the moral character of the rights of the League of Nations, or of observance of the principles laid down in the creation of the mandate.

This backward step is wholly prejudicial to a wider international understanding not only on the problem of native recruiting, but on the other civil and moral problems like compulsory or forced labour, slavery and slave traffic, white colonisation, the open door, and so on. With all this Christianity, as a missionary religion, is deeply concerned, and cannot see without regret the disappearance of an intelligent and honest international action like that of the League, and the increased political power of the totalitarian or imperial countries (even if they are democratic) that are tending to exploit the colonies, and to-day more than ever for military purposes. Here too the crisis of political morality in the international field rebounds on to the most important and characteristic functions of the Church and weakens the structure of Christian civilisation in the world.

§ 63.—In the experiences of the laic State as a whole, whether liberal and democratic or authoritarian and totalitarian, the Church has lost the diarchic position she had won in the Middle Ages in a more or less theocratic form (cesaro-papism or Latin organisation), and then maintained in the Reformation and Counter Reformation with a prevailing aspect of confessionalism in the Protestant 'Church-State' or of jurisdictionalism in the Catholic Church. This notwithstanding, a third kind of diarchy has crept in, which we have called 'individual' when we first encountered it in its Protestant beginnings, and which merits the term still more to-day, for the diarchic power of the Church is to-day mainly expressed as a spiritual power over the faithful as individuals, and no longer in an authoritative and juridical form over States.

We have seen how gradually the politico-legal bonds between State and Church were dissolved first by toleration, then by laicism, and how the point was reached of denying the Church any organic and authoritative share in affairs of the State. Even where concordatory relations have been reknit (for the Catholic Church), or where official

and formal relations still persist (for certain Protestant churches and the Church of England), the ethic of the State is outside the orbit of Christianity and of any supernatural religious conception. The cleavage between the two powers is substantial, apart from survivals from the past or external and formal superstructures. If to-day we can rightly continue to speak of a diarchy of Church and State as a duality of powers, it is because the Church maintains her religious power over the faithful, which, expressed in the form of teaching and public precepts, continues to have an influence on society, whether her relations with the governments are good or otherwise. The Church, in spite of the lack of State support (and in certain not infrequent cases, as a result of it), has been able to maintain and increase her religious influence over the consciences of the faithful, so that they adhere to her with such conviction as to be able, if need arises, to resist the hostile propaganda of anti-religious laicism upheld in the name and with the resources of the State. The keener this consciousness, the more effectual the diarchy. If, on the contrary, this consciousness dwindles and goes out, the diarchy loses or collapses, for, from the sociological standpoint, social power is a collective consciousness of possession of such power before it can assume organic form and become a force able to impose itself. The faithful to-day have such a consciousness in communion with the authoritative organs of the Church. If the Church has only her spiritual means of vindicating her potency, yet its moral efficacy remains entire, and no one can doubt that such efficacy has social and political effects.

It is a mental habit to seek to reduce everything to juridical schemas, a habit due in large measure to the medieval tradition when all human relationships (even public and ecclesiastical ones) were seen in a private and contractual guise, and could be fixed only in legal form. With the advent of public law and the idea of sovereignty, this private form disappeared and contractualism turned into jurisdictionalism. It took the experience of laicism to bring out the moral character of the relations between Church and State and to show how sociologically the diarchy Church-State has its roots set at a deeper level than that of a legal co-partnership in society.

The Roman Curia, by its tradition which on this point is linked up with that of Roman Law, sets great store on legal formulation, which

is always clear and precise, but in the public domain to-day most of the criteria and provisions of Canon Law would remain unilateral if they were not translated either into friendly compromises with the civil authorities, or into moral and disciplinary instructions to the faithful—apart from those concordatory measures concerned with legal competences, as to-day in Italy over marriage questions. Pius IX by the *non expedit* invited the faithful to take no part in the parliamentary elections of the new Kingdom of Italy. The invitation was interpreted as obligatory (even before the later papal declaration of 1895) and was respected to a varying degree, according to how far the faithful realised its importance, that is, to how far in their consciences the idea of a religious duty prevailed over that of a civil duty. Pius XI condemned the *Action Française* and forbade priests and faithful to belong to it. Under the *ancien régime* this measure would have had to be drawn up as a bull; this would have had to pass the Council of State or the Parlement of Paris, and to be published by royal order; then only would it have become a law of the State. In the absence of these formalities it might lead to a jurisdictionalist controversy. In the two cases we have quoted the efficacy of the papal measures has been no longer on the legal plane but on the spiritual plane, and yet their moral effects ended by modifying (in certain respects) the political situation of the countries concerned.

It is over the family and education that to-day there is sharpest opposition between Church and State, the one armed with laws, economic resources and coercive force, the other with spiritual weapons and spontaneous assents. The Catholic Church has been more efficacious than the others in condemning laicised marriage (known as civil marriage), divorce, contraceptives, and authorised or, worse, enforced sterilisation. She has fought for over a century and will continue to fight in defence of the sacramental institution of marriage, just as she has fought and will continue to fight for the Christian education of the young. If she can come to an understanding with the State, all the better. If not, she appeals to the faithful and lays upon them the gravest responsibility, that of resisting even with personal sacrifice, for here is something touching the roots of Christian morality. Pius XI has returned to the themes already exhaustively treated by

his predecessors (especially Leo XIII and Pius X), in order to clarify Catholic doctrine and its application in the present time, in his two encyclicals, *Divini illius Magistri* on the education of the young (December 31, 1929) and *Casti Connubii* on Christian marriage (December 31, 1930).

This antagonistic position of Church and State is connected with a basic sociological principle, that of the limitation of power. There can be no unlimited power; unlimited power would be not only a social tyranny but an ethical absurdity. The problem raised by the modern State turns precisely on this point. It has denied any external limitation by a principle other than its own, or, as the philosophers say, heteronomous, for laic thought has proclaimed the autonomy of the State. In order to limit its powers, appeal was made to the freedom of the people, and since all liberty resolves itself into power, the whole of power was attributed to the people. But the people could not exert its power actually, possessing it only potentially, by original title, while the actual reality passed to the State as legislative and executive power. Mutual limitation between people and State ended by becoming a formal and organic fact, without ethical substance. This was sought, occasion by occasion, and resolved itself into positivist pragmatism.

This process has been arrested by two forces which were believed extraneous to the State and reduced to impotency: the Church and the popular conscience. The first as the perennial voice of a higher morality, often unheard or seemingly unheard, ignored, despised, contradicted, disparaged by adversaries, falsified or weakened by too compromising friends, followed by but a few of the faithful, and yet an insistent and efficacious voice, for it is the perennial voice of the spirit that is never silent. Is the Church heteronomous to the State? From the legal standpoint, as the principle of a juridical diarchy, now that the State is outside and not within the Church, and has a large number of citizens who do not belong to a given church or to any church, the Church may be said to be heteronomous to the State. But as the voice of the conscience of the faithful, who are citizens, working as citizens, she is not extraneous, she enters into the State, shares in its ethical ends, cooperates for the wellbeing of the nation and shares in the intrinsic, inward limitation of the statal powers.

When Christians as citizens vindicate the moral conception of public life, in peace and in war, in the question of education and that of the family, in the protection of labour and of the workers and in the struggle against the excesses of capitalism, and so on, they limit that power which seeks to become unlimited, absorbing, totalitarian. In the Middle Ages the Papacy intervened by authority with kings and peoples; it could abrogate a law, depose a sovereign, release the people from the bond of their oath of allegiance. This was what was known as '*direct power*'. In modern times this power was pared away, disciplined by concordats and rules of jurisdiction; the theologians called it '*indirect power*' in the sense that it touched temporal matters as a consequence of the defence of religious principles. To-day this power is still operative, whether direct or indirect, but it can have no efficacy on the laic State and appeals to the conscience of the faithful. It could now be called '*directive power*'. The form has changed, but the substance is the same. It consists in the individual diarchy which prevails, in the persuasive power of consciences which carries weight, in the efficacy of the Christian citizen who succeeds in bending the power of the State, or else in opposing it in the name of Christian morality, that is, in the name of an ethical principle that touches collective life and which cannot be other than inward and conducive to a State with a Christian civilisation.

The more effectual and extensive is the action of Christian society and of the several faithful in the State, the more the Church, though without either authority or juridical control, co-operates in the formation of public life and to the end of the temporal commonweal. The weaker and the more uncertain such action, the more the course tends to be set by the State, which to-day is assuming the character of a religious myth and an original ethic, supplanting the Christian religion and its morality. The dualism between Church and State that develops in an individual diarchy, is a natural consequence of a two-fold ethical conception upheld in the names of the two opposing principles.

In the Catholic camp as in the Protestant, there have been men of study and action to whom this dualism is so disturbing as to send them perpetually in quest of conciliation, a mutual adjustment. In the liberal period it was maintained that the Church must adapt herself to the

progress of the times. To-day, in the height of Fascism, this is repeated, the more insistently the more it is denied that Fascism has a theoretical content and hence an ethic of its own. The same has occurred with Nazism, which could not be accused of lacking a theory, since the easiest thing for Germans is to create one; hence a group of theologians, whose views were echoed by Kuno Brombacher and Emil Ritter in 1936, in their *Message from German Catholics to their compatriots and co-religionists.*[1] In Austria a Community of Work for Religious Peace has been formed. Both enterprises have been disqualified by the bishops, but they have met with support among priests and faithful, who cannot conceive of an ethical conflict save in political terms, and hence would wish to reduce its scope by a passage from ethics to politics. There are, on the contrary, stages of struggle in which all values must be summed up in ethical terms in order to check the tendency of politics to swallow up everything. This is the process of spiritualisation of a social life rendered worldly by passions, interests, power. In this sense now the Church as a religious institution, now the faithful as Catholic Action or even as a political party, have taken their share in struggles on a ground believed to be reserved to politics. Although this may lead to ambiguities, resentments, strife, the Church cannot renounce such action, nor can the faithful fail on occasion to take the initiative in it and accept the responsibilities it implies. Evidently on the historical plane this leads to victories and defeats, to excesses and to weaknesses, and the Church, as an historical organism, suffers the full consequences, as we have seen in the course of nearly two thousand years. But it is this that gives vitality, strength, experience, this that sifts men out, brings to birth new institutions, promotes the development of doctrine, the adjustment of praxis, the outgrowing of outworn positions and the spiritual renewal of militant centres.

It was an idea favoured by certain mystical currents, to keep the respective churches apart from political passions. The liberal idea of the separation of State from Church and the conception of religion as a private affair seemed to make it feasible. On the other hand, confidence in human reason, or rather in rationalism, the assurance of scientific progress, the ideal of liberty carried to the point of the autonomy of

[1]Ascherdorff, Munster in Westphalia, 1936.

the person, led men to look for a civilisation enfranchised from the Church, not anti-Christian but simply human. The prevailing conception was then that of the State as guardian of liberties and executor of the laws with the widest expansion possible of individual life. This vision did not correspond to reality. Progress was soon cut short, science was turned to war power, the great working class agitations supervened, with anarchic propaganda and the overhanging dread of a European conflict. Then the war, the post-war agitations, the Russian Revolution, Communism, Fascism and Nazism, the new wars, the dread of another general war, the anti-semitic barbarities, the violation of every right, the hatred that has invaded the world. The idea of any Church outside politics, that is, separated from life as we live it, with its struggles, its crises, its disappointments, its tragedies, would be neither historically conceivable nor spiritually possible. To-day more than in the past, the States have monopolised almost the whole of social life and a great part of individual life, they have laid hold of the direction of the trends of thought and orientation of their countries, passing from the plane of politics as a technique of government to that of politics as a conception of the life of the world, a *Weltanschauung*. The churches either resign themselves to existing on the margins of society, as the spiritual comfort of a few faithful, undisturbed because they have placed themselves outside all real activity, or else, wishing to remain at the centre of the cultural and moral life of society, they must take part, on the religious plane, in all the enterprises and all the conflicts of the dynamism of the age. And since politics are saturated with all the ethical values, it is to politics (not to the technique of politics, nor to the earthly interests that politics contain, but taken as one of the all-absorbing expressions of social life) that the churches must draw near, facing, at the right moment and with spiritual vision, the titanic struggles before them.

We say 'with spiritual vision' to emphasise the wholly religious character of the ends and means with which the Church is able to establish contact with politics, considered in their ethical and social value. Unfortunately in every age there have been ecclesiastics of varying rank who in the contacts between the Church and politics have sought to make use of the religious power for earthly ends; others

have made use of earthly means for religious ends, and, deeming them necessary even if not perfectly moral, have been ensnared by them. Both classes have been wanting in a spiritual vision of ends and means. It is not astonishing; ecclesiastics too are men who may fall to so-called political realism, in good faith or bad, as history shows us in so many happenings. For this reason the Church has been accused of engaging in politics, of being bound by earthly considerations, of wishing to maintain her prestige and the financial resources of her institutions by compromises at the expense of Christian spirituality.

This impression is enhanced by the exploitation of the Church on the part of nationalists and Fascists and their governments, especially by a certain press which, though laic and pagan, poses as the champion of religion. Such as these (and it is a current that is creeping among the conservative and nationalist clergy) would have the Church not only bind herself to the dictatorial governments in order to fight bolshevism and the advanced democratic currents, but form a kind of league, as in the time of the Reformation for the wars of religion or of the Holy Alliance for the union of Throne and Altar and the anti-liberal wars. In the absence, to-day, of a defence of the confessional State or of the principle of legitimacy, the principle of social conservation is put forward. The Church should support the bourgeoisie and militarism so as to bar the way to the proletariat and to suppress civil liberties, where they still exist, in favour of a dictatorship of the Right. The persecution of the Church in Russia, in Mexico, in Spain, are put forward as justifying a benevolent policy towards the anti-bolshevist dictatorships, like that of Hitler, in spite of the paganism of the race principle, in spite of anti-semitism and the anti-Christian propaganda of his most stalwart adherents. The support of a part of the episcopate and of the faithful in Italy for the Abyssinian War, the open participation of the clergy in the civil war in Spain on the side of the insurgents have given practical proof of this trend, creating motives for accusing the Church as though she were bound up with all forms of Fascism, even in the bloody experiences of revolts and wars.

A certain criticism is not unfounded, but it is too general and above all does not take into account that the present historical experience is very brief compared with the other experiences the Church has under-

gone. But this first period had sufficed for Pius XI—who had lived through the profound crisis from its beginnings—to come to a practical awareness of all its perils. His encyclicals and addresses touched upon all the features of this assault of the modern State on the soul. If not all Catholics, and not all priests, have realised the doctrinal and practical value of such documents, it is due to the fact that the crisis has invaded the whole of society, of which, whether churchmen or laymen, we are all part, breathing its infected air. Fortunately there is the salutary reaction of the mystical streams, the voices of Cardinals such as Faulhaber, Cerejeira, Verdier and Plassa, of generous and combative youth, of men of learning and faith, anxious for the fate of the Church and of society.

Pius XI, in the last year of his life did not cease to insist on the peril of apostasy from the Christian faith through the ultra-nationalist currents. He had summoned the Italian bishops on the occasion of the tenth anniversary of the Lateran Treaty for an address by which he set such store as to beg his doctor if it were possible to prolong his life to that day. He died on the eve, on February 10, and his speech was not made known to the public. It was surmised that it would have been a renewed and wider protest against the marriage laws introduced into Italy, as racial and anti-semitic measures, in open violation of the Concordat annexed to the Lateran Treaty. Perhaps too it was a recall to the spiritual reality of the Italian situation, compromised as it was by the exaggerated nationalism that had come to infect a wide section of Catholics and clergy.

The Conclave elected as his successor, with unusual rapidity, Cardinal Pacelli, the Secretary of State (in defiance of the Roman traditions); it may well have been to emphasise a continuity of government. The same reason (personal homage apart) may have led the new pope to take the name of Pius XII. His first message was a message of peace to the whole world. It came at an opportune moment in a period of upheavals and growing anxieties; the whole world (and not only Catholics) had paid moving homage to the memory of Pius XI, known as the Pope of Peace, and greeted the new Pope with widespread confidence. The mission of peace is intrinsic to the nature of Christianity, and the Papacy cannot fail to bring all the weight of its

moral authority to bear, working not only for the inward peace of souls, but also for peace among the peoples, as a work of justice and charity, as the reconstruction of a new order.

Jacques Maritain, the celebrated French Thomist philosopher, having broken away from the *Action Française* after its condemnation, has been turning his thought, with increasing ripeness and profundity, towards the political problems of the present hour in relation to the traditional Catholic conception. He seeks in St. Thomas an adequate comprehension and solution; his effort sometimes seems too closely adherent to scholastic formulas, but beneath this vesture he seeks to shift the emphasis from the juridicial position of the Church to her cultural and spiritual one. He expresses the mind of many who would restore the value of Christian civilisation in its complexity, ecclesiastical and laic, cultural and charitable, mystical and active, in order to influence the various modern currents (called by some by the inappropriate name of 'civilisations') which are nearly all a-Catholic or anti-Catholic, in order that Christianity should penetrate their environment, and take what they hold of constructive value to righten and purify it.

This vision implies two moments: that of penetration, that of purification. Communism, Fascism, Nazism must feel the workings of the Christian yeast. The world cannot be treated as if made up of closed compartments, a co-existence of uncommunicating groups and contradictory foci; it is made up of vital syntheses and active organisms. If we insist on the duality of Church and State, it is not that we overvalue the Church, at a time when the number of her true members has dwindled through the apostasy of the *élites* and of the masses, but because the two stand for permanent and indestructible syntheses. State and Church do not signify merely two powers, each in its own department of competence and jurisdiction; they signify two principles, the monistic and the dualistic, the immanent and the transcendent, the naturalistic and the supernatural, with their mutual influence and mutual strife, not formal but substantial, taking place within our very consciousness.

The Church would not and could not effect a severance between the Christian and the citizen; the State, on the contrary, in most cases—whether governments and parties say as much or not—to-day seeks to

bring about the severance and the apostasy of the citizen from the Christian. That is why another French philosopher, Etienne Gilson, has raised his cry of alarm, calling upon Catholics to close their ranks and to create a cultural and educational organisation of their own, capable of making them convinced and combative men, living in the world but able through their truly Christian spirit to overcome the world. It may be that between the two, Maritain and Gilson, there is only a difference of view-point, which may be merely a difference of personal experiences. Indeed, so long as Christians, and especially Catholics, continue to treat political problems with a technical mentality as problems of administration, of finance, of elections, of forms of governments, or else avoid them as something unclean, or worse still, make acts of confidence in men in government, (especially dictators), failing to see the ethical substratum that alters all the values of social life including religious values, then neither penetration nor purification of the modern currents will be possible, nor the conquest for Christianity of present day society.

Maritain in his *True Humanism*[1] presents the vision of a 'new Christendom', not as a repetition of that of the Middle Ages (history being irreversible), but as 'conceivable to-day'. 'It would no longer be', he writes, 'the idea of the *sacred empire* possessed by God over all things, it would rather be the idea of the *holy liberty* of the creature united to God by grace'. Maritain places the new Christendom within a temporal society in which the co-existence of nuclei of various modes of feeling is assured by civil toleration, power maintains its autonomy, the rights and liberties of human personality are recognised, economy is emancipated from the capitalist yoke, so as to render possible the construction of what he calls 'personalist democracy', tending towards the achievement of a 'fraternal community', Co-existence, in the 'temporal city', between believers and unbelievers would be the fruit of this fraternity, into which the believers would bring the moral values proper to Christianity and would utilise and purify those others that, derived from Christian civilisation, are thrown into relief by non-believers in their natural character and for the ends of temporal society.

Maritain's endeavour is two-fold: to lessen the present antinomy

[1]Geoffrey Bles, 1938.

between the political society and the Church, and to determine a course towards an awakened consciousness among believers, tending towards a future in which this dialectic will be superseded by the dialectic of '*liberty-grace*'.

The problem of the political society, from age to age, now in one way, now in another, has appeared to many as irreducible to Christian thought—as we have several times noted. The Fathers saw in power (as in property) a consequence of Original Sin, the privation of a complete good, a duality which could not be unified and which St. Augustine carried on to the mystical plane of the City of God and the Earthly City. After the medieval experience (which was incomplete and disturbed by violence of passion), through which the State, formerly outside the Church, passed within the Church and also, in certain respects, under her guardianship, the old problem was raised anew with the effort to purify the Church from the worldliness in which she had become involved. The State, in the Reformation, held all outward power, even ecclesiastical power, and the Church retained only inward spiritual power. The consequences, even in the Catholic camp that had resisted the protestantising of the Church, worked out as the jusnaturalist conceptions of the State and rationalist conceptions of society. These are at the source of the attempt to separate the natural from the supernatural, in an effort, which has gone on for two hundred years, to reach the absorption—if this were possible—of the supernatural in the natural. The State to-day presents itself once more as irreducible to Christian thought, even more so than in the days of the Fathers or of the Reformation. For the former, the problem was how to reduce power from pagan to Christian; for the latter, it was how to refashion in purity a Church that had become worldly. The Protestant Reformation and the Catholic Counter-Reformation came as the answer. To-day instead the problem is how to impede the absorption of the supernatural in the natural and the Church in the totalitarian State.

Maurice Blondel has built up a philosophy that seeks to bridge the ever more open and irreducible cleavage (in modern thought) between nature and the Christian experience. Unlike many spiritualist philosophers, who in their rational abstractionism combine Aristotle and Descartes, he takes his stand wholly on concrete reality and following

all its manifestations brings out from them the presence of Thought, the value of Being and the creativity of Action. Under this three-fold aspect, which is a three-in-one, there is a permanent dualism between reality and its exigencies, which brings the urge to further realisations, a heterogeneity tending towards a synthesis, an incompleteness that calls for its completion—pacification, says Blondel, with a striking image. Every higher stage of thought, of reality, of action, may be considered as a completion of what is below it, but this completion is such only for the stage at which it occurs, and therefore it calls for a further elevation. By these experiences human history has lived and lives. Can we look upon it as only a rational experience without its mystical side? As an immanence that goes on completing itself by itself without transcendency? As the worldly without the divine?

In Blondelian philosophy, Christianity appears under three aspects—as a continuous and indestructible historical experience; as a spiritual integration not of nature in the abstract but of historical man, inasmuch as fallen from initial grace; as an orientation guiding even those who are outside it, through the luminous quality of its doctrine and works. The experience of natural reality in the union of nature with Christianity is transformed into a spiritual experience; this comes about through the communication of the grace that God willed to give to man on his first appearance upon earth, so that we may say that there has never been a strictly natural moment of humanity that has not at the same time been graciously supernatural. There is a link between Blondel and the Leibnizian tradition and, in certain respects, with the thought of Vico. His philosophy might be considered a beneficent Platonism adapted to modern thought and interpreting the anguish of a world stricken by an unnatural and unfecund separatism. To dwell as many do on rational and natural motives, either through speculative abstractionism or in accordance simply with methodological criteria (with the praiseworthy aim of not confusing the two planes, the natural and the supernatural), renders them inapt to see the synthetic values of reality and to fight the original separatism that is at the bottom of the modern crisis.

In the Christian conception, the whole being and activity of man is to be carried on to the plane of the Redemption: 'He that is not for

Me is against Me'. Outside Christ we find not a state of nature but its negation. All men, according to Christian theology, live by the supernatural, under the influence of grace, even those who have not known Christianity. Of these last, to those who fulfil the moral law and listen to the inner voice of conscience, the grace that Christ has obtained for all by His sacrifice will not be wanting. On the contrary, those who do evil, whether they have faith or no, are outside the mystical body of Christ, and by that very fact unworthy of the human character. The visible Church, with the magistracy of Revelation, the communication of sacramental grace and the participation in the Communion of the Saints, promotes and achieves the passage of each man from the dominion of sin to life in the mystical body of Christ. This theological vision embraces not only the faithful (who have greater bonds and duties through the wealth of aids received), but the whole world, which mystically has been won by Christ and potentially lives in Him.

The fundamental error is to conceive of Humanism and Christianity as separate, to keep their values distinct and often to oppose them, and finally to eliminate one of the two from the redeeming synthesis. But whereas the peoples that have not yet received the light of the Gospel do not know the two terms of the synthesis, and their supernatural aspirations are infected with superstitions that mar even their natural thought and feelings, the peoples that have known the Christian experience can no longer separate it from human values, which are bound up with it. Although they may be harassed by terrible crises, shaking the ethico-religious structure, always the small seed of the Gospel sends forth new shoots, and there is a return to the Christian experience. Nature and Grace can no longer be separated. The negation of grace is error, immorality, hatred, injustice, all negative data that no one in sound mind could attribute to nature. The naturalistic crisis of the XVIII century was not based on a sound conception of nature.

Leviathan is not Christian, but neither is Leviathan natural. Is the State necessarily Leviathan? Looking back through history, we might say that from certain points of view the State, by its intrinsic character, tends to become Leviathan, that is, it tends to be monistically conceived, for power by its nature is a unifying force. It is not only the modern State that is monistic (even if it be tolerant or liberal or con-

cordatory), nor only the totalitarian State. That of the *ancien régime*, that of the Middle Ages, the Christian Roman Empire were at bottom monistic, like the old pre-Christian States and Empires. If this appears to us only belatedly, in the light of a more evolved historico-sociological criticism, to give us the key to the history of relations between State and Church, it is none the less exact.

We say that *only under certain aspects* does the State tend to be Leviathan, for the human conscience rises up against a constant encroachment on its rights, the violation of morality, the subjection of religion (points which give the conception of Leviathan its true value), and tends in every social structure to preserve margins of freedom, of resistance and of refuge; it thus creates a sociological dualism, basic and irrepressible. The Christian Church has polarised this dualism, it has made it lasting and permanent and has given it the light of a supernatural truth: 'Render unto Caesar the things that are Caesar's, and unto God the things that are God's'. This conception lies at the basis of the Christian experience. Every attempt to overstep such limits, from either side, has violated the laws of nature and those of Revelation. The duality does not mean dualism, but it may become a dualism; it is not always diarchic, but it becomes a diarchy. Such is the story of two thousand years.

The diarchy admits of a gradation of powers, an unification of tendencies, of realities and of ends. The duality postulates a synthesis; the dualism, instead, is a more or less transient moment of strife. According to the age and according to the historical positions of the various peoples, we find all three experiences in the relations between Church and State; providential experiences, which have rendered possible and effective a constant elevation of society from monistic stasis to dualistic dynamism, from immanent forms to transcendent aspirations, from the worldly spirit to the divine. The antithesis that has so often revealed itself in the struggles between Church and State has given our Christian civilisation, especially that of the West, the motives for the loftiest speculations, the urge towards ever wider aspirations, and the profound crises that serve the cause of human progress. The battle waged by the Church so that she should not be subjugated by the secular power, that she might liberate herself from encroach-

ments when they had occurred, that she should not be confounded with the State, has given the human conscience its grandest moments of elevation and has held firm the values of human personality.

In the titanic struggles between the worldly and spiritual forces, it is no wonder if the Church, becoming rich and potent, should from time to time have taken her stand by the side of the temporal power and herself have represented its interests, till a breath from the mystical currents, that are never wanting, has revived the sacred flame, till the whole of society has been shaken by moral stirrings and by the convulsions of renewal. Such is the period through which we are now passing. The apostasy of the masses and of the *élites* have accentuated the antagonism of State to Church, and rendered their separation the deeper. Through this fact, even natural morality in the political sphere, national and international, suffers a profound crisis, for while of itself it is incapable of resisting in autonomous form, either as personal morality or as collective morality, it is no longer upheld by the Christian faith. This is the field in which the Church reassumes her position of guidance and her restorative and integrating function. Her moral influence and the releasing of the mystical currents will reawaken oppressed consciences, restore its vigour to human personality, subdued as it is by the monstrous weight of the power of the State. A new diarchy will form itself in the collective consciousness, on the ruins of an individualism that has already seen its day and a totalitarianism that must be overthrown.

What form the diarchy of Church and State will assume to-morrow cannot be foreseen to-day, but we may venture to affirm that it will be in the ethico-social sphere. For the working-class masses demand a justice that is their due, the nations yearn for the ending of wars, of armaments, of jealousies, and for a beneficent peace; the intellectual classes feel the emptiness of Positivism, the inadequacy of Idealism, the superficiality of Phenomenalism, the barrenness of Aestheticism. The arrogant concept of a State above everything, the centre of complete unification, the fount of ethics, the expression of the common will, mystical aspiration of the unity of a people, has resulted in the totalitarian monster, Communist, Nazi, Fascist, which to-day holds Europe in a triple strangle-hold. A new breath of mystical spirituality and of

pacifying re-organisation must come (and cannot fail to come) from Christianity, in its character as a personal religion, universal and autonomous, profoundly felt and vigorously actuated by the faithful, who are partakers in the mystical body of Christ; then Church and State will find again their rhythm of social duality and spiritual unification.

NIHIL OBSTAT, Georgius Can. Smith, S.Th.D.; Ph.D., censor deputatus.

IMPRIMATUR, Leonellus Can. Evans, *Vic. Gen.*

WESTMONASTERII, *die 24a Martii*, 1939.

CONTEMPORARY BIBLIOGRAPHY

[This bibliography is confined to a selection of the modern books consulted by the author. Sources, reference books, collections and documents are omitted, as well as works referred to in the text.]

ACTON, Lord John Emerich, *The History of Freedom and other Essays*. London, 1909.

ADAM, Dr. Karl, *The Spirit of Catholicism*. London, 1929.

AMANN, E., *L'Epoque Carolingienne* (*Histoire de l'Eglise, VI*). Paris, 1937.

BARUZI, Jean, *Leibniz et l'organisation religieuse de la Terre*. Paris, 1907.

BASCH, Victor, *Les doctrines politiques des philosophes classiques de l'Allemagne*. Paris, 1922.

BAUDRILLART, Cardinal, *L'Eglise Catholique—La Renaissance—Le Protestantisme*. Paris, 1908.

BAZIN, G., *Windthorst, ses Alliés et ses Adversaires*. Paris, 1896.

BELASCO, Philip S., *Authority in Church and State*, with a foreword by G. P. Gooch. London, 1928.

BENDA, Julien, *Esquisse d'une histoire des Français*. Paris, 1932.

BERDYAEV, Nicolas, *The End of Our Time*. Paris, 1930. London, 1933.

—— *Christianity and Class War*. Paris, 1932. London, 1933.

—— *Freedom and the Spirit*. Paris, 1933. London, 1935.

BETTANINI, A. M., *Benedetto XIV e la Repubblica di Venezia*. Milan, 1931.

BEVAN, Edwyn, *Christianity*. London, 1932.

BLONDEL, Maurice, *La Pensée*, I et II. Paris, 1934–5.

—— *L'Etre et les êtres*. Paris, 1936.

—— *L'Action*, I et II. Paris, 1936–7.

BODY, Auguste, *Le Concordat, sa négotiation, ses dix-sept articles, son histoire de 1801–3*. Lyon, 1903.

BOSANQUET, Bernard, *The Philosophical Theory of the State*. London, 1899.

BOURLON, J., *Les assemblées du Clergé et le Jansénisme*. Paris, 1909.

BRIERE, Ives de la, *L'Organisation internationale et la Papauté souveraine*. Paris, 1924.

—— *La Communauté des Puissances*. Paris, 1932.

BUONAIUTI, E., *Gioacchino da Fiore*. Rome, 1931.

—— *Lutero e la Riforma in Germania*. Bologna, 1927.

—— *Dante come profeta*. Modena, 1936.

BURKHARDT, J., *The Civilisation of the Renaissance in Italy*. The Phaedon Press, Vienna, 1937.

BURY, J. B., *History of the Papacy in the XIX Century*. London, 1930.

BUTLER, Dom Cuthbert, *The Vatican Council*. London, 1930.

CABANE, Henri, *Histoire du Clergé de France pendant la Révolution de 1898*. Paris, 1908.

CAPECELATRO, Cardinal Alfonso, *Storia di San Pier Damiano*. Rome, 1887.

CARLYLE, R.W. and A. J., *A History of Medieval Philosophy in the West*. Vol. I–VI. Edinburgh, 1903–36.

CHENON, E., *Histoire des rapports de l'Eglise et de l'Etat*. Paris, 1913.

CHEREL, Albert, *La Pensée de Machiavel en France*. Paris, 1935.

Church and State—Papers read at the Summer School of Catholic Studies, August 1935. London, 1936.

The Churches survey their Task—The Report of the Conference at Oxford, July 1937, on Church, Community and State. London, 1937.

The Church and the XX Century, edited by G. L. H. Harvey, London, 1936.

CONSTANT, G., *The English Schism, Henry VIII (1509–47)*. London, 1934.

—— *The Reformation in England*. Paris, 1930. London, 1934.

COOLEN, G., *Histoire de l'Eglise d'Angleterre*. Paris, 1932.

—— *L'Anglicanisme d'Aujourd'hui*. Paris, 1933.

CROCE, Benedetto, *Storia del Regno di Napoli*. Bari, 1925.

—— *A History of Italy, 1871 to 1915*. Bari, 1928. Oxford, 1929.

—— *History of Europe in the XIX Century*. Bari, 1932. London, 1934.

CURCIO, Carlo, *Dal Rinascimento alla Controriforma*. Rome, 1934.

DEMPF, Alois, *Sacrum Imperium*—Geschichts-und Staatsphilosophie des Mittelalters und der politischen Renaissance. Munich and Berlin, 1924.

DE RUGGIERO, Guido, *The History of European Liberalism*. Bari, 1925. London, 1927.

DE SARLO, Francesco, *L'Uomo nella Vita Sociale*. Bari, 1931.

DOUMERGUE, E., *Jean Calvin (Vol. V. La Pensée Ecclésiastique et la Pensée Politique)*. Lausanne, 1917.

DUCHESNE, L., *Les premiers temps de l'Etat Pontifical*. Paris, 1898.

DUNCAN-JONES, A. S., *The Struggle for Religious Freedom in Germany*. London, 1938.

FAULHABER, Cardinal, *Judaism, Christianity, and Germany*. London, 1934.

FERRARI, Francesco Luigi, *Le Régime Fasciste Italien*. Paris, 1928.

FESSARD, G., *Pax nostra. Examen de conscience international*. Paris, 1936.

FIGGIS, J. Neville, *Studies of Political Thought. From Gerson to Grotius*. Cambridge, 1907.

—— *Churches in the Modern State*. London, 1914.

FILIPPINI, Francesco, *Il Cardinale Egidio Albornoz*. Bologna, 1933.

FLORI, E., *Il tratto De Regimine Principum e le dottrine politiche di S. Tommaso*. Bologna, 1928.

FONTENELLE, R., *Pius XI*. Paris, 1938.

GASQUET, Cardinal Aidan and BISHOP, Edmund, *Edward VI and the Book of Common Prayer*. London, 1928.

GIANNINI, A., *I Concordati Post-Bellici*, Milan, 1929.

GIERKE, Dr. Otto, *Political Theories of the Middle Ages*, (English edition, with an introduction by F. W. Maitland). Cambridge, 1913.

—— *Natural Law and the Theory of Society (1500–1800)*, *with a Lecture on the Ideas of Natural Law and Humanity by* Ernest Troeltsch, (English edition, with an introduction by Ernest Barker). Cambridge, 1934.

GILSON, Etienne, *The Philosophy of St. Thomas Aquinas*. Paris, 1923. (*'Le Thomisme.'*) London, 1924.

GILSON, *Moral Values and the Moral Life. The System of St. Thomas Aquinas.* Paris, 1925. *St. Thomas d'Aquinas.* St. Louis and London, 1931.
—— *The Philosophy of St. Bonaventure.* Paris, 1924. London, 1938.
—— *The Spirit of Medieval Philosophy.* London, 1936.
—— *Pour un Ordre Catholique.* Paris, 1934.
—— *Christianisme et Philosophie.* Paris, 1936.
GOOCH, G. P., *Studies in Modern History.* London, 1931.
GUIRAUD, Jean, *Histoire de l'Inquisition au Moyen Age.* Paris, 1938.
HAWKINS, L. M., *Allegiance in Church and State,* with a foreword by G. P. Gooch. London, 1928.
HAZARD, Paul, *La Crise de la Conscience Européenne (1680–1715).* Paris, 1935.
JACINI, Stefano, *Il Tramonto del Potere Temporale nelle relazioni degli Ambasciatori Austriaci a Roma.* Bari, 1931.
—— *La politica ecclesiastica italiana da Villafranca a Porta Pia.* Bari, 1938.
JANNI, Ettore, Machiavelli. Milan, 1927.
JARRETT, Bede, O. P., *Social Theories of the Middle Ages. Medieval Socialism.* London, 1926.
JARRY, E., *L'Eglise contemporaine.* Paris, 1935.
JEMOLO, A. C., *Stato e Chiesa negli scrittori italiani del sei e settecento.* Turin, 1914.
JORDAN, W. K. H. D., *The Development of Religious Toleration in England (1603–40).* London, 1936.
JOURNET, C., *La Jurisdiction de l'Eglise sur la Cité.* Paris, 1931.
LAMBRUSCHINI, Card. Luigi, *La mia Nunziatura in Francia, a cura di Pietro Pirri.* Bologna, 1934.
LA PRADELLE, A. de, *Le Conflit Italo-Ethiopien.* Paris, 1936.
LECANUET, R. P., *La Vie de l'Eglise sous Léon XIII. (L'Eglise de France sous la Troisième République).* Paris, 1930.
LECLERC, Joseph, S. J., *L'Argument des deux glaives dans les controverses politiques du Moyen Age* (Recherches Religieuses, 1931–2, Paris).
LEGENDRE ET CHEVALIER, *Le Catholicisme et la société.* LABERTHONIERE, *L'Eglise et l'Etat à travers l'histoire.* Paris, 1907.
LESLIE, Steward, *A Century of Anglo-Catholicism.* London–Toronto, 1929.
LEVASTI, A., *Sant'Anselmo, Vita e Pensiero.* Bari, 1929.
LUCHAIRE, Julien, *Les Démocraties Italiennes.* Paris, 1920.
MACENTEE, G. Putnam, *The Social Catholic Movement in Great Britain.* New York, 1927.
MANGANO, Dr. Vincenzo, *Il pensiero sociale e politico di Leone XIII.* Milan, 1931.
MARITAIN, Jacques, *Du Régime Temporel et de la Liberté.* Paris, 1933.
—— *True Humanism.* Paris, 1936. London, 1938.
—— *Les Juifs parmi les Nations.* Paris, 1938.
MARTIN, Victor, *Le Gallicanisme politique et le Clergé de France.* Paris, 1929.
MAUROIS, André, *Histoire d'Angleterre.* Paris, 1937.
MENDIZÁBAL, Alfred, *The Martyrdom of Spain, with a Preface by Jacques Maritain.* Paris, 1937. London, 1938.
MESNARD, P., *L'Essor de la Philosophie Politique au XVI Siècle.* Paris, 1937.
MESSINEO, A., *Giustizia ed Espansione Coloniale.* Rome, 1937.

MORNET, Daniel, *Les Origines Intellectuelles de la Révolution Française (1715–87)*. Paris, 1933.

NITTI, Francesco. *La Démocratie*. Paris, 1933.

NORWICH, The Bishop of, *Church and State*. London, 1936.

OLGIATI, Mgr. Francesco, *L'Anima dell'Umanesimo e del Rinascimento*. Milan, 1924.

—— *Il significato storico di Leibniz*. Milan.

—— *Cartesio*. Milan, 1924.

OMODEO, Adolfo, *Cattolicismo e Civiltà Moderna nel Secolo XIX.—J. De Maistre* (Article in *Critica*, Bari, 1936).

—— *Le Missioni di riconquista cattolica nella Francia della Restaurazione* (*Critica*. Bari, 1938).

PAGANOL, André, *L'Empereur Constantin*. Paris, 1932.

PALMIERI, Aurelio, *La Chiesa Russa, le sue odierne condizioni e il suo riformismo dottrinale*. Florence, 1908.

PINCHERLE, A., *Sant'Agostino d'Ippona*. Bari, 1930.

PRZYWARA, Father Erich, S. J., *Polarity, a German Catholic's Interpretation of Religion*. Translated by A. C. Bouquet. London, 1935.

QUONIAM, Th., *Erasme*. Paris, 1935.

RASTOUL, A., *Le Père Ventura*. Paris, 1906.

RICHARD, P., *Concile de Trente*. Paris, 1930–31.

RIVET, Louis, *La Question Romaine et le Traité du Latran*. Paris, 1931.

RIVIERE, Jean, *Le Problème de l'Eglise et de l'Etat au temps de Philippe le Bel*. Louvain-Paris, 1926.

ROTTA, Paolo, *Il Cardinale di Cusa*. Milan.

ROUSSEAU, F., *L'Idée Missionaire aux XVI et XVII Siècles*. Paris, 1930.

RUFFINI, Francesco, *Religious Liberty*, (Translated by J. Parker Heyes. London-New York, 1912).

—— *La Vita religiosa di AlessandroManzoni*. Bari, 1931.

SALATA, Francesco, *Per la Storia Diplomatica della Questione Romana—I. Da Cavour alla Triplice Alleanza, con documenti inediti*. Milan, 1929.

SALVATORELLI, L., *S. Benedetto e l'Italia del suo tempo*. Bari, 1928.

SALVEMINI, Gaetano, *La Rivoluzione Francese (1788–1792)*. Fifth edition, Florence, 1925.

SCHNITZER, R., *Savonarola*. Italian edition Florence, 1931.

SCHNURER, Gustave, *L'Eglise et la Civilisation au Moyen Age*, with a preface by Edouard Jordan. Paris, 1933.

SFORZA, Count Carlo, *Synthèse de l'Europe*. Paris, 1937.

STOUGHTON, John, D. D., *History of Religion in England. Vol. II. The Church of the Commonwealth*. London, 1881.

STROWSKY, F., *Pascal et son Temps*. Paris, 1923.

STURZO, Luigi, *Italy and Fascismo*. London, 1926.

—— *The International Community and the Right of War*. London, 1929.

—— *Essai de Sociologie*. Paris, 1937.

—— *Politics and Morality*. London, 1938.

TOFFANIN, A., *Storia dell'Umanesimo dal XIII al XVI secolo*. Naples, 1933.

TOSTI, Don Luigi, *Storia del Concilio di Costanza*. Rome, 1887.

TREVELYAN, G. M., *History of England*. London, 1934.

TROELTSCH, Ernst, *Protestantism and Progress.* (Translated by W. Montgomery). London–New York, 1912.

—— *The Social Teaching of the Christian Churches.* (Translated by Olive Wyon). London, 1931.

VACANDARD, E., *Etudes de Critique et d'Histoire Religieuse.* Paris, 1910.

VANDERPOL, A., *La doctrine Scolastique du Droit de Guerre.* Paris, 1925.

VIALATOUX, Joseph, *La Cité de Hobbes.* Paris, 1935.

VILLARI, Pasquale, *The Life and Times of Savonarola.* Florence (2nd ed.), 1887–8. London, 1888.

VOLPE, Gioachino, *Movimenti Religiosi e Sette Ereticali nella Società Medievale Italiana. (Sec. XI–XIV).* Florence, 1922.

VOSSLER, Karl. *Medieval Culture.* (Translated by W. C. Lawton.) London, 1929.

WARD, Wilfrid, *Last Lectures.* London, 1918.

WOLFF, Théodor, *Through two Decades.* (Translated by E. W. Dickes.) London, 1936.

ZANATTA, Mario, *I Tempi e gli Uomini che prepararono la Rerum Novarum.* Milan, 1931.

INDEX

A

Abelard, Peter, 89, 90, 103
Aconcio, Jacopo, 281
Acton, Lord John Emerich, 436
Adolph of Nassau (Emperor), 114
Adrian I, Pope, 57, 59, 64, 86
Adrian II, Pope, 67
Adrian IV, Pope, 81, 94, 107
Adrian VI, Pope (Adrien Dedel), 208, 217
Alacoque, St. Mary Margaret, 313
Alba, Fernando Alvarez de Toledo, Duke of, 239
Alberoni, Cardinal Giulio, 339
Albert I of Austria, Emperor, 114, 133
Albert II, Emperor, 160
Albert of Brandenburg, Archbishop of Mainz, 193
Alberti, Dr. Mario, 472 n.
Albertus Magnus, St., 171
Albigensians, 26, 99–103, 105, 161, 167
Albornoz, Cardinal d', 147
Alcuin, Flaccus, 59, 61, 63
Aleandro, Cardinal Girolamo, 208
Alexander I (of Russia), 392, 394–5
Alexander III, Pope, 95–7, 99, 105, 113, 114, 155, 184
Alexander V, Pope, 152, 164
Alexander VI, Pope, 111, 176–9, 188–90
Alexander VII, Pope, 301, 303
Alexander VIII, Pope, 304
Alexander de Medicis, Duke of Florence, 211
Alfieri, Vittorio, 357
Alphonso I, d'Este, 210
Alphonso (or Alonso) de Ojeda, 191
Althusius, Joannes, 271, 290
Ambrose, St., 36, 37, 41, 82
Ambrosiaster, 39
Americanism, 461–2
Anaclete II, anti-Pope, 90, 94
Angelico, Fra Giovanni da Fiesole, 187
Angilbert, 59, 61
Anglo-Catholicism, 411, 541
Anne of Bohemia, 164
Anselm of Aosta, St., 89, 184
Anti-Semitism, 149, 151, 166–8, 169, 451, 460, 484, 496, 522–4, 542
Antoninus of Florence, St., 174, 216
Antoninus Pius, Emperor, 36
Apostolicals, 100, 105
Arandha, Pedro Pablo Aborca de Bolea, 401
Aristotle, 129, 140, 141, 171, 172, 175, 300, 354, 355
Arius, Arianism, 32, 33, 53
Arles, Council of, 33
Arminianism, 278, 279, 283, 286, 287, 289, 291
Arminius, Jacobus, 278
Arnauld, Antoine, 254–5
Arnauld, 'The Great', 306, 307
Arnold of Brescia, 96, 140
Ashley, Lord Anthony Cooper, later Earl of Shaftesbury, 286
Astolf, King of the Lombards, 56, 57
Athanasius, St., 33, 36
Attila, 49
Augsburg, Confession of, 197, 211
,, Peace of, 223, 224, 292
Augustine of Canterbury, St., 53
Augustine of Hippo, St., 35, 40–2, 172, 175, 195, 558
Augustinians, 104, 193, 316
Aurelian, Emperor, 32–3
Authority, theory of, patristic, 38–9, 65; Hildebrandine, 85; Innocentine, 109; Calvinistic, 202; Leonine, 456–7
Averroism, 180

B

Babylonish Captivity, 118, 122, 148
Bacon, Sir Francis, 283–4

Bacon, Roger, 171
Balbo, Count Cesare, 419, 420, 429
Baldo of Perugia, 155
Bale, Council of, 131, 155, 156, 157, 158, 159, 161, 169, 170, 182, 325
Balmes, Jaime Luciano, 438, 455, 529
Barclay, William, 260
Barre, Chevalier de la. See Voltaire
Barth, Karl, 485
Bartolo of Sassoferrato, 171, 190
Basil, St., 39, 42
Bassi, Matteo (Founder of Capucins), 214
Battifol, Mgr., 461
Baumgarten, Alexander Gottlieb, 352
Bauny, Fr. Etienne. See Casuistry
Bayle, Pierre, 297
Beaumont, Christophe de, Archbishop of Paris, 320
Beaupin, Mgr. Eugène, 476
Beccaria-Bonesana, Marquis Cesare de, 356
Becket, St. Thomas, 96–7 n.
Bede, St., 59
Bellarmine, St. Robert, Cardinal, 191, 215, 249–51, 259, 260, 264, 307
Bellay, Cardinal Jean, Archbishop of Paris, 212
Benedict of Nursia, St., 52, 68, 75
Benedict IV, Pope, 72
Benedict V, Pope, 73
Benedict VII, Pope, 73
Benedict XIII, Pope, 332
Benedict XIII, anti-Pope, 152
Benedict XIV, Pope, 320–1, 326, 330, 333, 335, 348
Benedict XV, Pope, 463, 469, 472–6, 488, 529, 533, 543
Berengarius of Friuli, Emperor, 72
Berengarius of Tours, 103
Bernard of Clairvaux, St., 74, 89–93, 94, 95, 96, 103, 111, 120, 167
Bernardino of Siena, St., 174
Berthold of Neiffen, 134
Bertrand du Pouget, Cardinal, 134
Berulle, Cardinal Pierre de, 259, 262, 313
Beze, Théodore de, 247, 249, 275–6
Bianchi, Gian Antonio, 327, 330
Bismarck, Prince Otto von, 446–7, 484
Blackwell, George, 259
Blandrata, Giorgio. See Socinianism
Blondel, Maurice, 7, 463, 558–60
Boccaccio, Giovanni, 131, 163
Bodin, Jean, 267, 290, 375
Boehmer, J. H., 294
Boetie, Etienne de la, 247, 248
Boetius, 59
Boileau Despreaux, Nicolas, 311
Bolivar, Simon, 407
Bolshevism, 476, 480–2, 539. See also Communism
Bonald, Louis-Gabriel, Vicomte de, 397–8
Bonaventura of Bagnorea, St., 111, 161, 456
Boniface of Mainz, St., 59
Boniface VIII, Pope, 86, 92, 102, 113–18, 124, 133, 148, 155, 251, 435
Bonomelli, Mgr. Geremia, 441
Borgia, St. Francis, 215
Borromeo, St. Charles, 225–6, 245
Bosco, St. John, 439
Bossuet, Jacques-Bénigne, 235, 264, 304–5, 306, 309, 311, 315, 324, 345
Botero, Emanuele, 269
Boucher, Jean, 248
Bridget of Sweden, St., 148–9
Brombacher, Kuno, 552
Bruno of Cologne, St., 75
Bruno, Giordano, 353, 443
Buonagrazia of Bergamo, 139
Byron, Lord, 410

C

Caesaro-Papism, 47–8 (Byzantine, see also Latin Organisation), 198 (Lutheran), 205 (Tudor); 236–7 (Spanish Counter-Reformation); 321–2, 549
Caffarelli Borghese, Cardinal Scipione, 258
Caffeteau, Father Nicholas, O.P., 259
Cajetan, Cardinal Thomas de Vio, 208
Calabiana, Mgr., 441
Calas, Jean, 347, 359–60. See Voltaire
Calasanzio, St. Joseph, 214
Calixtus II, Pope, 77, 184
Calixtus III, Pope, 188–90
Calixtus, George, 308
Calles, Plutarco-Elias, 482
Calvert, George, Lord Baltimore, 289
Calvin, Calvinism, 200–3, 206, 229, 232, 240, 246–7, 252, 274, 275, 279, 292, 300, 311

Camerone, Agostino, 465
Carmona, President, 482
Campanella, Tommaso, 353
Campeggio, Cardinal Tommaso, 209
Campion, Edmund, S.J., 245
Can Grande Della Scala, 134
Canisius, St. Peter, 215, 233
Canning, George, 406
Canon Law, development of, 39, 52, 68, 86, 146, 185
Cantù, Cesare, 419, 429
Capecelatro, Cardinal, 489
Caracciolo, Nuncio, 208
Caraffa, Cardinal Carlo, 223
Carlyle, Thomas, 410
Carmelites, 104, 216
Carranza, Archbishop, 237–8
Casoria, Father Ludovico da, 439
Cassian, 42
Cassiodorus, 50
Castellione, Sebastiano, 275–6
Casti Connubi, encyclical (1930), 550
Castlereagh, Robert Stewart, Marquis of Londonderry, 395
Casuistry, 298–302, 346, 355
Cathars. See Albigensians
Catherine de Medicis, 211, 234, 240, 246
Catherine of Siena, St., 148, 149, 152, 173, 178
Catherine the Great (Russia), 338, 375, 421
Catholic Action, 439, 464, 490, 491–2, 493, 533–5, 537
Cathrein, Father Victor, S.J., 556
Cavour, Camillo Benso, Count, 454
Celestine V, St., Pope, 104, 114
Centre Party, 446, 477, 486
Cesarini, Cardinal Giulio, 192, 216
Chantal, Ste. Jeanne Frémiot de, 313
Charlemagne, 58–63, 64, 72, 73, 83, 122, 381
Charles Albert of Carignano, King of Sardinia, 406
Charles IV ('The Moravian'), Emperor, 145, 150, 164
Charles V, Emperor, 204, 207–13, 214, 217, 220, 221, 222, 223, 236, 246, 265
Charles VI of Hapsburg, Emperor, 331
Charles Martel, 55
Charles of Anjou, King of Naples, 115
Charles I (England), 281, 282, 289, 302
Charles II (England), 282
Charles VII (France), 159–60, 183, 186
Charles VIII (France), 210
Charles IX (France), 240, 246
Charles X (France), 404, 406
Charles III de Bourbon, King of Spain, and till 1757 King of Naples, 331, 337, 358
Charles IV de Bourbon, King of Spain, 358
Charles of Valois, 114
Chartists, 414, 425
Chastel, Jean, 253
Chateaubriand, François-René, Vicomte de, 397, 410
Chaucer, Geoffrey, 163
Chivalry, 71, 89
Choiseul, Etienne-François, Duc de, 337, 347
Christendom, 66, 68, 156, 168–9, 186, 308
Christian II of Denmark, 200
Christian III of Denmark, 200
Christian Democracy, 458–9, 460, 464–5, 466, 478
Cicero, 143, 172
Civil Constitution of the Clergy (1790), 373, 377
Civiltà Cattolica, La, 7–8, 432
Clémangis, Nicolas de, 154
Clement V, Pope, 118, 133, 138, 143, 148, 155
Clement VI, Pope, 145, 148
Clement VII, Pope, 203, 207, 208–11, 217, 220
Clement VIII, Pope (Aldobrandini), 234, 238, 241, 254, 299
Clement XI, Pope, 315, 317–18, 320, 326, 331
Clement XII, Pope, 332, 348
Clement XIII, Pope (Rezzonico), 321, 330, 335, 337, 347
Clement XIV, Pope, 338–9
Clément, Jacques, 241, 252, 254, 256
Clericis Laicos, bull, 115, 118
Cobden, Richard, 424, 473
Coleridge, Samuel Taylor, 410
Coligny, Gaspard de, 240, 246
Colombière, Claude de la, 313
Colonisation, right of, 190
Colonna, Vittoria, 212

Columba, St. (the Elder), 59
Columbus, Christopher, 171, 188
Comestor, Peter, 64
Communism, 105, 138, 411, 414–15, 444, 480–2, 529, 537–8. See also Marx
Comte, Auguste, 447–9. See also Positivism
'Conciliar Theory', 117, 120, 140, 143, 154–8, 160, 164, 177, 303–4, 325, 436
Concirac, Abbé de, 359
Concordats, 159, 183–7; XVIII century, 332–3; with Napoleon, 185, 374, 376, 377–80, 381–2, 460; with Austria (1855), 434, 445; post-war, 485–6 (Germany), 487, 489–90, 492–4 (Italy), 536
Condignat, Father, S.J. See Casuistry
Condorcet, Marie-Jean, Marquis de, 359
Confucius, 22, 352, 545
Consalvi, Cardinal Ercole, 403
Constance, Council of, 131, 152, 154, 156, 157–9, 161, 165, 169, 177, 183, 184, 304
Constance, Empress, 54
Constance of Sicily, Empress, 105
Constant, Benjamin, 412
Constant, Byzantine Emperor, 54
Constantine, Donation of, 57, 62, 82, 108–9, 110, 119–20, 122
Constantine, Emperor, 27, 29–30, 32–3, 36, 37, 47, 50, 73, 110
Constantius, Roman Emperor, 27, 36
Contarini (Venetian Ambassador), 260
Contarini, Cardinal Gasparo, 212–13, 225
Conti, Augusto, 429
Coolhaers, Gaspard, 278
Coornhert, Theodore, 278
Cordaro, Father, 339
Corneille, Pierre, 311
Corsi, Professor Alessandro, 476
Coton, Pierre, Confessor to Henri IV, 256, 260
Councils, 130, 131, 168, 177. See also under Arles, Bale, Constance, Lateran, Lyons, Ferrara, Florence, Trent, Vatican, Vienne, etc., and 'Conciliar Theory'
Counter-Reformation, 207–30, 231–7, 242–52, 265, 273, 558
Cranmer, Archbishop, 204
Créqui, Charles III, Duc de, 303
La Croix, 459–60, 514, 516–17
Cromwell, Oliver, 167, 281, 282, 284, 285, 291
Crusades, 88, 90, 114, 167; theory of, 102, 511; against Hussites, 166; against Turks, 211
Cupertino, St. Joseph, 313
Curione, Celio Secondo, 275
Cusa, see Nicholas of

D

D'Ailly, Cardinal Pierre, 155
Dante Alighieri, 86, 120–4, 127, 131, 148, 161, 172, 173, 178
D'Anton, Georges-Jacques, 377
Darboy, Archbishop of Paris, 523
Darwin, Charles, 429
De Bono, Marshal, 503
Declaration of Independence and of Rights, 370–1
Declaration of the Rights of Man and of the Citizen, 370–1, 384
Decourtins, Gaspard, 478, 529
Democracy, 179, 249, 383–7, 413–15, 419, 433, 539
Denis, King of Portugal, 184
Descartes, René, 297, 310, 311, 342, 352, 353, 354
Desiderius (Lombard King), 58
Diarchy Church-State, 46–9; medieval, 67, 122; individualist, 198, 547–9, 550–1, 561
Diocletian, Emperor, 24, 27, 36
Divine Right of Kings, 85, 108, 116, 253, 255, 256–7, 267, 282, 284, 302–3, 305, 306, 362, 370, 393
Divini illius magistri, encyclical, 550
Divini Redemptoris, encyclical, 537–8
Dollfuss, Engelbert, 483, 542–3, 544
Döllinger, Johann Joseph von, 436
Dominicans, 104, 187, 188, 193, 316
Dominus ac Redemptor, encyclical, 378
Dorléans, Louis, 248
Dougherty, Cardinal, 539
Dragonnades, 305–6
Dreyfus Case, 459–60, 504
Dubois, Cardinal Guillaume, 318
Duchesne, Mgr., 56, 461
Duns Scotus, 135, 456

Dupanloup, Félix, Bishop of Orleans, 421, 432–3, 436
Du Plessis-Mornay, Philippe, 247
Dury, John, 283
Duval, André, 262

E

Eckhart, Meister Johannes, 132
Eden, Anthony, 498, 519
Edward I (England), 116, 167
Edward III (England), 145, 153
Edward VI (England), 206
Egbert, Bishop of York, 59
Egidius Romanus, 123, 143
Eginhard, 59, 62
Elizabeth (England), 206, 224, 229, 239, 241, 244–5, 250, 265
Emanuel I (Portugal), 188
Emerson, Ralph Waldo, 410
Emiliani, St. Jerome, 214
Encyclopedists, 334–6, 343, 346–9, 352–3, 356, 373, 397, 407
Enlightenment, the, 334, 341–65, 388; in England, 350–1; in France, 341–50, 361–5; in Germany, 351–3, 361; in Italy, 353–5, 356–7
Enzo of Swabia, 107
Eon de L'Etoile, 100
Ephesus, Pseudo-Council of, 37
Episcopius, Simon, 278
Erasmus of Rotterdam, 216–18, 275
Erastianism, 283–4
Espen, Zeger Bernard van, 324–5, 361
Eudes, St. John, 313
Eugene III, Pope (Paganelli of Pisa), 92, 104
Eugene IV, Pope, 159, 160, 170, 192
Eusebius of Cesarea, 31
Evangelicals, 351

F

Fascism, 480–1, 483, 486–94, 497–505, 514, 537–8, 552, 553
Febronianism, 64, 269, 325–6, 330, 332, 334, 361, 436
Febronius, Justinus (Nicholas Hontheim), 324–5
Felix II, Pope, 37
Fénélon, François de Salignac de la Mothe, 306, 312
Ferdinand the Catholic, King of Castille and Aragon, 188, 237
Ferdinand I of Hapsburg, Emperor, 224, 225, 232, 236, 246
Ferdinand II of Hapsburg, Emperor, 332
Ferdinand III of Hapsburg, Emperor, 264
Ferdinand VI (Spain), 358, 399
Ferdinand VII (Spain), 399–400
Ferrara, Council of, 158
Feuardent, François, 248
Feudalism, 67, 70–2, 87, 131, 169, 185, 244, 371
Fichte, Johann Gottlieb, 387–8
Ficino, Marsilio, 129, 175–6, 179, 216
Filangieri, Carlo, Prince of Satriano, 357
Fisher, St. John (Bishop of Rochester), 206, 212
Flagellants, 146, 151, 161
Fleury, Cardinal, 348
Florence, Council of, 131, 158, 170
Foggazzaro, Antonio, 464
Fontenelle, Bernard de Louvier de, 306
Fourier, François, 413
Fox, George, 285
Francis of Assisi, St., 114, 123; Franciscanism, 99, 104, 123, 135, 172, 187, 188, 216; *Fraticelli*, 104, 114, 115, 146; *Spirituals*, 119, 137–40, 143, 144, 146, 148, 149, 151, 155, 161
Francis of Paola, St., 176
Francis de Sales, St., 258–9, 312, 313
Francis I (France), 185, 186, 207, 208, 209, 210, 212, 214, 265
Francis II (France), 224
Francis II of Hapsburg, Emperor, 375, 392
Franco, General, 506, 507, 508, 512–15, 543, 544
Frassati, Pier Giorgio, 533
Frassinous, Mgr., 420
Frederick I (Denmark), 200
Frederick II of Prussia ('The Great'), 338, 358, 361–2
Frederick II of Swabia, Emperor, 88, 105–8, 110, 112, 116
Frederick III, Emperor, 170, 184
Frederick of Aragon, 114
Frederick of Hapsburg, 134
Frederick, Elector of Brandenburg, 1st King of Prussia, 313
Frederick-William of Prussia, 294, 352

Frederick-William II, of Prussia, 362, 375
Frederick Barbarossa, Emperor, 81, 86, 88, 94–7, 105, 116, 155
Freedom, theories of. See Liberty
Freemasonry, 347–9, 403, 445, 459, 504
French Revolution, 253, 369–79, 381–5, 387–8, 397, 469, 470, 529
Froisset, 421
Fugger (Bankers), 193
Fuhrmann, G. H., 294
Fulkenberg, Johann von, 161

G

Gaetano Tiene, St., 214, 226
Galileo Galilei, 297, 353
Gallicanism, medieval, 119, 120, 153; Renaissance, 160, 183; Counter-Reformation, 234–5, 246, 251, 254–8, 298; under Louis XIV, 303–5, 315–21, 323–5; XVIII century, 330, 336, 372, 376; post-Revolution, 378–9, 380, 416, 421, 436
Gallien, Roman Emperor, 27
Gambetta, Léon, 445
Garibaldi, Giuseppe, 435
Garnet, Father, S.J., 259
Gasparri, Cardinal Pietro, 467, 487
Gassendi, Pierre, 297
Gelasius I, Pope, Gelasian Theory, 37, 45, 53, 57, 86, 111, 119, 120, 458
Genseric, 49
Gentile, Giovanni Valentino, 275
Gentili, Alberico, 271
Gentiloni Pact, 465
George III (England), 405
Gerhoh von Reichersberg, 95, 96, 155
Gerson, Jean le Chartier, 155, 177
Giannone, Pietro, 331–2
Gilbert de la Porrée, 89
Gilson, Etienne, 557
Gioberti, Abate Vincenzo, 419, 420
Gladstone, William Ewart, 425, 446
Godfrey of Viterbo, 64
Goethe, Johann Wolfgang von, 353, 395
Golden Bull (1355), 150
Goma, Cardinal, 514 n.
Gonin, Marius, 533
Gonzaga, Cardinal Ercole, 225
Görres, Johann Joseph von, 410
Gorton, Samuel, 290
Gottolengo, St. Joseph, 439
Gratian (Monk of Bologna), 57, 86
Gratian, Roman Emperor, 36
Gratry, Auguste Alphonse, Oratorian, 436, 439
Graves de Communi, encyclical, 459
Grazioli, Bartolomeo, 428
Great Schism, 152–5, 159, 164, 165, 188
Gregory the Great, Pope, 45, 52–4, 59
Gregory III, Pope, 55
Gregory V, Pope, 73
Gregory VII, Pope, 67
Gregory VII (Hildebrand), Pope, 53, 75, 76–7, 79–85, 88, 98, 99, 104, 109, 113, 114, 332
Gregory IX, Pope, 86, 101, 103, 106–7, 108
Gregory X, Pope, 112
Gregory XI, Pope, 152, 164
Gregory XII, Pope, 152, 157, 164
Gregory XIII, Pope, 238, 248
Gregory XVI, Pope, 417–20, 433
Gregory of Tours, 59
Grotius, Hugo (Hugues van Groot), 271, 278, 279–81, 284, 287, 342, 361
Guincestre (Curé of Paris), 248
Guise, Henri, Duc de, 240–1, 248, 252
Guizot, François-Pierre, 421
Gustavus Adolphus, King of Sweden, 265
Gustavus Erikson Vasa, King of Sweden, 200

H

Hadrian, Roman Emperor, 36
Haller, Karl Ludwig von, 410
Harmel, Léon, 529, 533
Hefele, Karl Joseph von, 436
Hegel, Hegelianism, 448, 449–51, 452, 454, 466, 485, 529
Henriquez. See Probabilism
Henry II, St., Emperor, 73
Henry III ('The Black'), Emperor, 73, 75, 79, 83
Henry IV, Emperor, 75, 77, 81–5, 97
Henry V, Emperor, 77, 78, 184
Henry VI, Emperor, 105
Henry VII, Emperor, 70, 122–3, 124, 133
Henry I, King of England, 184
Henry II (England), 96 n., 184
Henry VIII (England), 203–6, 209, 212, 220, 281

Henry II (France), 220, 222, 223, 246
Henry III (France), 234, 240, 241, 246, 253, 256
Henry IV (Navarre and France), 234, 241, 246, 248, 250, 253, 254, 255, 256, 259, 264
Henry (VII) of Swabia, King of the Romans, 106
Henry of Cremona, 143
Henry of Hesse, 155
Henry of Toulouse, 190
Hilarius (ex-Calvinist), 259
Hildebrand. See Gregory VII
Hinschius, Paul, 321
History, Nature of, 128
Hitler, Adolf, 485, 496, 497, 499, 508, 519, 520, 522
Hobbes, Thomas, 283, 284–5, 287, 291, 361, 362, 365
Hohenlohe, Prince, 434
Holbach, Paul Heinrich, Baron, 359
Holy Alliance, 389, 393–6, 398, 470, 508, 529
Honorius III, Pope, 106
Honorius of Arles, 42
Hontheim, Nicholas. See Febronius
Hosius, of Cordova, 31
Hotman, François, 247, 248
Hugo, Victor-Marie, 410, 449, 473
Huguenots, 214, 229, 239–41, 246–7, 286, 302, 303, 305–6, 307, 359–61
Humanism, 127–33, 142, 147, 150, 156, 157, 170–4, 201, 215–16, 225, 273, 275, 297, 376, 397, 557, 560
Hume, David, 350
Huss, John, 161, 164–6, 193; Hussites, 26, 102, 165, 168, 169, 194

I

Ignatius of Loyola, St., 214, 226, 229. See Jesuits
Immortale Dei, encyclical (1885), 456–7 (on the Constitution of States)
Index of Forbidden Books, 213, 221
Innocent II, Pope, 81, 91, 92
Innocent III, Pope, 97–8, 105–6, 108, 113, 189
Innocent IV, Pope, 85, 107, 109–11, 113, 118, 188, 189
Innocent V, Pope, 112
Innocent VI, Pope, 147, 150
Innocent IX, Pope, 241
Innocent XI, Pope, 264, 304, 472
Innocent XII, Pope, 305
Innocent XIII, Pope, 318, 331
Inquisition, 101, 103, 104, 105, 146, 187; Roman, 213, 221, 403; Spanish, 237–8, 249, 307, 322, 329, 399, 403; Portuguese, 322, 335
International Law, 250, 270–1, 501
Investiture Conflict, 76–85, 94–8, 100, 144, 185
Ireland, Mgr., 462
Isabella the Catholic (Spain), 237
Isabella II (Spain), 406
Isidore of Seville, St., 52
'Isidorian Collection' (containing the False Decretals), 57, 63–4, 157
Islam, 22, 55, 88, 147, 167, 170, 189
Italo-Abyssinian War, 497–505, 509

J

Jacopone da Todi, 115
James I (England), 245, 259–60, 282
James II (England), 282, 286, 302
Jansenius, Jansenism, 298, 299, 301, 302, 305, 306–7, 311, 312, 314–21, 324, 325, 327, 332, 333, 334, 336, 351, 355–6 (Italy), 372, 376
Jean Petit, 161
Jéricot, Marie-Pauline, 533
Jerome, St., 42
Jerome of Prague, 161, 165
Jesuits, 190, 215, 226–7, 233, 236, 249, 251, 253–8, 259, 260–4, 269, 298–300, 305, 314, 316, 318, 321, 323, 327, 333–41 (suppression), 347, 380, 401 (reconstitution), 404, 420, 428, 429, 545
Jews, 399. See Anti-Semitism
Joachim de Flora, Joachimism, 103–4, 114, 123, 161
Joan of Arc, St., 149, 159
Jocism, 533
John VIII, Pope, 67
John X, Pope, 72
John XII, Pope, 72
John XXI, Pope, 113
John XXII, Pope, 86, 133–4, 137, 139, 143–4, 155

John XXIII, Pope, 152, 158, 174
John of Capistrano, St., 187
John of the Cross, St., 216
John, King (England), 98–9
John of Gaunt, 163
John of God, St., 214
John Gualberti, St., 75
John of Jandun, 140
John of Paris, 118, 119–20
John of Salisbury, 96
John-Frederick, Elector of Saxony, 193
Joseph I of Portugal, 334
Joseph II of Hapsburg, Emperor, 338, 358, 360, 401
Joseph of Cupertino, St., 313
Joseph of Paris (known as Joseph du Tramblay), 262
Julian the Apostate, 31, 172
Julius II, Pope (della Rovere), 177, 193, 255
Julius III, Pope (del Monte), 212, 222
Jurisdictionalism, 250, 269, 313, 321–4, 325–33, 339, 355 (Italy), 358 (Austria), 360–1, 376, 378, 382; after French Revolution, 402, 455
Jusnaturalism, 268, 279, 283, 288, 290–6, 307, 324, 342, 359, 361, 370, 376, 386, 528, 558
Justinian, Emperor, 38, 39, 50, 86, 109

K

Keats, John, 410
Kemel Ataturk, 482
Kerensky, Alexander, 476
Ketteler, Wilhelm Emanuel, Baron von, 423, 436, 438, 458, 529
Knox, John, 206
Koloman, King (Hungary), 77
Krudener, Barbara Juliana, Baroness von, 395
Kulturkampf, 446–7

L

Labourers, Statute of, 163
La Bruyère, Jean de, 306
Lacordaire, Jean-Baptiste, O.P., 416–18, 421, 438, 529
La Fontaine, Jean de, 306
Lagrange, Father, O.P., 461, 463
Lamartine, A. M. L. de Prat de, 490
Lamennais, Huguet-Félicité de, 397–8, 410, 416–19, 420
Lampertico, Fedele, 429
Lanfranc, Archbishop, 77
Langton, Stephen, 98–9 n.
Lapanze, Abbé, 348
La Pompadour, 336, 337, 347
La Salle, St. Jean Baptist de, 313
Las Casas, Barthélemi de, 190
Lateran Council, Roman, 77; Oecumenical, I, 157; V, 185, 418
Lateran Treaty, 440, 489, 492, 501–2. See also Concordats
Latin Organisation, 48–52, 549
Latitudinarianism, 281, 283, 286
La Tour du Pin, 529
Laval, Pierre, 497, 499
Lavallette (Jesuit), 336
Lavigerie, Cardinal Charles, 439
Law of Guarantees (Italy), 440, 492–3
Laxism. See Casuistry
Laynez, Father Diego, S.J., 226
League of Nations, 154, 474–6, 495–500, 500–6 (Abyssinia), 517 (Spain), 518 (China), 521–2, 546–7
Leander of Seville, St., 53
Legitimism, 392–4, 404
Leibniz, Gottfried Wilhelm, 297, 308–11, 344, 351, 353, 559
Lellis, St. Camille de, 214
Lenin, Vladimir Ilyich Ulianov, 476, 482
Leo I, Pope, 37
Leo III, Pope, 59, 61, 62, 63
Leo IV, Pope, 67
Leo VIII, Pope, 73
Leo IX, Pope, 57, 79, 80, 82, 104
Leo X, Pope, 185, 186, 193, 207, 208, 217
Leo XIII, Pope, 441, 455–61, 462, 473, 475, 488, 501, 529, 535, 550
Leo the Great, Pope, 37, 42, 49
Leonard of Porto Maurizio, St., 355
Leopold II of Hapsburg, Emperor, 360, 375
Lessing, Gotthold Ephraim, 353
Liberal Catholics, 417, 419, 426, 438, 478
Liberalism, 389–90, 395, 400, 404, 411, 417, 424–9, 435, 444, 453
Liberatore, Matteo, 455
Libertas Praestantissimum, encyclical (1888), 456, 457–8

Liberty, conception of, among early Christians, 27–30; XIV century, 143; in Kant, 390; early XIX century, 409; late XIX century, 455, 527–8; in Catholic doctrine, see *Mirari Vos*, Ventura, Ketteler, Montalembert, *Libertas praestantissimum*; letter of Pius XI, 538
Liberty of conscience, 400, 422, 427, 428, 430–1, 432, 453; liberty of the press, 400, 418, 420, 426–7, 428, 432, 443, 453, 458, 526
Licinius, Roman Emperor, 27, 29
Liguori, St. Alphonso di, 339, 355
Lipsius, Justus (Joest Lips), 268–9, 278
Locke, John, 283, 286, 287–8, 291, 362
Loisy, A. F., 461, 462
London, Treaty of (1915), 467, 475, 488
Lothaire II, Emperor, 81, 92
Louis IX, St. (France), 107, 183
Louis XII (France), 255
Louis XIII (France), 258, 262
Louis XIV (France), 264, 285, 302–7, 308, 314, 315–17, 318, 331, 385, 472
Louis XV (France), 314, 318, 320–1, 336, 337, 348, 359, 360
Louis XVI (France), 358, 360, 361, 362, 373, 374, 375, 404
Louis XVIII (France), 392, 400
Louis of Provence, Emperor, 72
Louis-Philippe (France), 406, 412, 416
Lucifer of Cagliari, Bishop, 36
Lucius III, Pope, 101
Ludwig of Bavaria, Emperor, 133–4, 139, 140, 145, 147
Luna, Count Claudio de Quinones de, 229
Luther, Martin, 178, 182, 192–9, 200, 201, 203, 205, 207–8, 209, 211, 218, 220. Lutheranism, *idem.*, 229, 230, 274, 292, 295, 300, 311, 451, 484
Lyons, Council of (1245), 107

M

Mabillon, Juan, 298, 344
Machiavelli, Nicola, 175, 179–82, 196, 199, 266, 268, 269
MacMahon, Marshal, 445
Magna Charta, 98–9 n., 136
Maine de Biran, François-Pierre, 397
Maistre, Josèphe de, 348, 396–7, 410, 418
Malebranche, Nicolas, 311, 397
Manfred of Swabia, 107
Manicheanism, 42, 99
Manning, Cardinal, 430, 446, 458, 529
Manzoni, Alessandro, 411, 419, 429, 438
Marcel II, Pope, 223
Maret, Henri-Louis-Charles, Bishop, 436
Maria of Austria, Empress, 299
Maria-Theresa, Empress, 338, 341, 358
Mariana, Juan, S.J., 255–6, 264, 307
Marie-Antoinette, 358, 374
Maritain, Jacques, 511, 515, 556–8
Marmontel, Jean-François, 359
Marsilius of Padua, 134, 140–2, 155
Martel, Charles, 55
Martin I, Pope, 54
Martin V, Pope, 102, 152, 159, 184
Marx, Karl, 413, 414, 448, 451–2, 454, 466, 529. See also Socialism and Communism
Mary, Queen of Scots, 206, 241, 245
Mary Tudor (England), 206, 245
Mary II (England), 282
Massentius, Roman Emperor, 27
Mathilda of Canossa, 80, 88, 94
Mattei d'Acquasparta, Cardinal, 117
Mauriac, François, 515
Maurice, Emperor, 45
Maurice of Nassau, Prince of Orange, 278
Maurice of Saxony, 222
Maurras, Charles, 465
Maximilian I, Emperor, 207
Maximilian II, Emperor, 224, 232–3, 236
Mazarin, Cardinal, 264, 268, 302, 303
Mazzini, Giuseppe, 411, 413, 419
Medina, Bartolomé de, 300
Melancthon, Philipp, 214
Mendelssohn, Moses, 352
Mendizábal, Alfredo, 511, 515
Merici, St. Angela, 214
Mermillod, Cardinal Gaspard, 458, 529
Merry del Val, Cardinal Raphael, 472
Metternich, Prince Clement, 395, 405, 406
Michael of Cesena, 134, 139
Michelangelo Buonarroti, 219
Milan, Edict of, 24, 29, 31, 47
Mill, John Stuart, 429
Miltiades, Pope, 33
Milton, John, 281, 284, 288

Mirabeau, Honoré Gabriel Rigueti, Comte de, 373
Mirari Vos, encyclical (1832), 417–18, 433
Miron, François, 234
Missionaries, 188, 191, 545–7
Mit Brennender Sorge, encyclical (1937), 537–8
Modernism, 460–5
Mofa, Gribaldo, 275
Molière, Louis, 311
Molina, Molinism, 299–300
Monarcomachists, 248–9
Monasticism, primitive, 42, 51; Carolingian, 59, 66; X century, 69; medieval, 89, 90; Counter-Reformation, 214–16, 219; modern, 438–9
Montaigne, Michel de, 297
Montalembert, Charles Forbes de Tryon, Comte de, 416–18, 420–1, 428, 430–1, 436, 438, 478, 529, 533
Montenach, Baron de, 476
Montesquieu, Charles de, 306, 345, 356, 359, 362–4, 412
Monti, Vincenzo, 360
More, St. Thomas, 206, 217
Morone, Cardinal Giovanni, 212, 213, 223, 225, 230
Mounier, Edouard, 515
Müller, Adam, 410
Murat, Joachim, King of Naples, 393
Muratori, Ludovico Antonio, 298, 344
Murri, Don Romolo, 464
Mussolini, Benito, 488, 519, 522, 535. See also Fascism
Mystical and Organisational Streams, 6, 42–3, 75, 93, 149, 214

N

Nantes, Edict of, 241, 246, 250, 278, 302; revocation, 286, 291, 305–6
Napoleon Bonaparte, 185, 379–83, 384–8, 390–1, 393, 404, 412, 472
Napoleon III, 426, 434, 437
Nationality, growth of, 141, 149, 157, 166, 168–70; 'The Nation', in French Revolution and Fichte, 385–8; XIX century, 407–8, 412, 415, 449; nationalism, 524, 528
Natural Law, 44, 136, 142. See also Jusnaturalism
Naudé, Gabriel, 268
Naudet, Abbé, 464
Nazism, 483–6, 514, 537–8, 552, 553
Necchi, Victor, 533
Neo-Guelfs, 420, 429
Neri, St. Philip, 214, 226
Newman, Cardinal John Henry, 410, 436, 438, 446
Nicea, Council of, 32, 33
Nicholas I, Pope, 67, 84
Nicholas II, Pope, 184
Nicholas V, Pope, 170, 184
Nicholas of Cusa, Cardinal, 64, 132, 174, 175, 216
Nicole, Pierre, 306
Niemöller, Pastor, 485
Nietzsche, Friedrich Wilhelm, 470
Noailles, Cardinal Louis-Antoine de, 314, 315, 316, 318
Non abbiamo bisogno, encyclical (1931), 491
Non expedit, 441, 444, 459, 465, 488, 549
Normans, 77, 80, 94, 107, 238
Nos es Muy, encyclical (1937), 137–8, 516

O

Ochino, Bernardino, 275–6
Ockham, William of, 134–9, 141, 155, 161, 162, 200
O'Connell, Daniel, 406, 415, 417, 422, 438, 533
Oldenbarneveldt, Johan van, 278
Ondes Reggio, Baron Vito d', 429
Origen, 39
Orléans, councils of, 52 (A.D. 549), 101 (A.D. 1022)
Orléans, Philippe II, Duc d', 314, 317, 318
Ostiensis, Henry of Suza, Cardinal, 190
Otto I, Emperor, 70, 72–3, 79, 83
Otto III, Emperor, 73
Owen, Robert, 413
'Oxford Group', 534
Oxford Movement, 410, 438

P

Pacca, Cardinal Bartolomeo, 403
Pace, Dean, 204
Pacelli. See Pius XII
Pacomius, Rule of, 42
Pandects, 39
Paolinus of Aquileja, 59

Papal Infallibility, 433, 435–8, 440, 446
„ Power, theories of, (1) *Direct Power*, in Innocent III, 98; in Innocent IV, 108–112, 188–9; in St. Thomas, 112; in Boniface VIII, 114, 116, 117, 118; in John of Paris, 119; in Dante, 120–3; in Clement V, 133; in Henry of Cremona, 143; in Conciliar Theory, 157; in Counter-Reformation Popes, 250–1. (2) *Indirect Power*, in Bellarmine, 251–2; in Gallican theory, 254–5; in Santarelli, 261–4, 299; in Leo XIII, 458. (3) *Directive Power*, 551. See also Gelasian Theory, the 'Two Swords', Temporal Power
Paraguay, 'Reductions', 334–5
Parini, Giuseppe, 356, 357
Parisi, Cardinal Pietro Paolo, 213
Parisis, De (Pierre-Louis, Bishop of Arras), 421, 433
Pascal, Blaise, 298, 301, 307, 311, 312, 314, 397
Paschal II, Pope, 77–9, 81, 92, 103, 184, 339
Patarines, 100, 101
Paul, St., 24
Paul III, Pope (Alessandro Farnese), 212, 214, 219, 220, 221, 222, 224, 230
Paul IV, Pope (Caraffa), 212, 223, 225, 230
Paul V, Pope, 250, 299
Paul of the Cross, St. (Founder of the Passionists), 355
Paul of Samosata, 33
Paulus Diaconus (Warnefried), 59
Pavia, council of, 95, 155
Pazzi, St. Mary Magdalene de', 313
Pelagianism, 41
Pellico, Silvio, 419
Penn, William, 290, 474
Pepin the Short, 55–6, 57, 59; Donation of, 57, 63
Périer, Canon, 314–15, 320
Peter of Alcantara, St., 216
Peter of Corvara (anti-Pope), 139
Peter Damian, St., 74, 75, 76, 80, 83, 91, 99, 103, 111, 120
Peter the Great (Russia), 308
Peter Lombard, Bishop of Paris, 89
Peter of Pisa, 59
Petit-Feuillant (Bernard de Montgaillard), 248
Petrarch, Francesco, 131, 148, 154
Philip I (France), 76, 77
Philip the Fair (France), 115–19, 148, 153, 155, 168
Philip II (Spain), 224, 225, 229, 233, 236–9, 240, 241, 248, 249, 250, 264, 265, 305, 405
Philip III (Spain), 256, 260, 264, 299
Philip V (Spain), 331
Philip-Augustus (France), 98–9 n., 101
Philippe-Egalité, Duke of Chartres, 348
Photius, 66
Pietism (Germany), 351–2
Pilsudski, Marshal, 482
Pius II, Pope (Aeneas Sylvius Piccolomini), 177, 182
Pius IV, Pope, 223, 224, 226, 230, 231, 237, 238
Pius V, Pope, 238, 239, 244, 250
Pius VI, Pope, 326, 338, 360, 373, 376, 439
Pius VII, Pope, 185, 376, 377, 380, 381–2, 393, 395, 400, 401, 403, 439, 472
Pius IX, Pope, 238, 421–3, 431–3, 435–7, 439–41, 443, 457, 549
Pius X, Pope, 460, 462–6, 472, 488, 533, 550
Pius XI, Pope, 487–93, 501, 509, 510, 523–4, 532, 533, 535 n., 537–8, 549, 555
Pius XII, Pope (Eugenio Pacelli), 538, 555
Plato, 129, 171, 172, 175, 176, 179, 559
Pole, Cardinal Reginald, 212, 213, 223
Polo, Marco, 171
Pombal, Sebastao José de Cervalho, Marquis of, 335
Pomponazzi, Pietro, 182
Popularism, 478–9
Positivism, 397, 435, 447–50, 454, 466, 470, 485
Power, popular origin of, 182, 252, 255–6, 263–4, 267, 307, 324, 333, 365, 370, 385, 386, 392–3, 550. See also Hobbes, Locke, Althusius
Praemunire, statute of, 149, 153
Pragmatic Sanction of Bourges, 160, 183, 185, 186, 376
Prat, Father, S.J., 461, 463

Prayer Book Controversy (England), 540–1
Primo de Rivera, 482
Probabilism, 300–1, 355
Provisors, statute of, 149
Ptolemy of Lucca, 123, 143
Pufendorf, Samuel, 291–4, 342, 361, 362, 450

Q

Quadragesimo Anno, encyclical (1931), 491
Quakers, 285–6, 290–1
Quanta Cura, encyclical (1864), 431, 457
Quarles, Francis, 283
Quebec Act, 447
Quesnel, Pasquier, 317
Quietism, 298, 300, 302, 303, 305

R

Racine, Jean, 306, 311
Ralliement, 459
Rance, Abbot of La Trappe, 313
Ravaillac, François, 256
Raymond VI, Count of Toulouse, 99, 101–2
Raymond of Pennaforte, St., 86
Reason of State, 179, 266, 268–72. See also Machiavelli
Reformation, origins, 162, 192–5; Germany, 194–9, 211, 223, 233, 242–4; Scandinavia, 199–200; Holland, 200, 277–8; Switzerland, 200; England, 203–6, 244–5; France, 245–7
Regalism, 322–4, 330
Reid, Thomas, 350
Renaissance, 124, 129, 131, 170–91, 192, 201, 273, 528
Rerum Novarum, encyclical (1891), 456, 458–9, 491, 529
Retz, Cardinal, 303
'Reunion', 308–11
Revolt, right of, 418, 510
Ricci, Scipione di, Bishop of Pistoia, 356
Richard II (England), 163, 164
Richelieu, Cardinal, 247, 260, 261, 262–3, 264, 265, 266, 302, 385
Rienzi, Cola di, 147
Risorgimento, 411, 420, 423, 454, 470
Ritter, Emil, 552
Robespierre, Maximilien de, 377
Roger, Count of Sicily, 80
Roger II, King of Sicily, 94, 238
Rojas, Cristoforo de, 308
Romagnosi, Gran Domenico, 357
Roman Empire, 25–40, 44–52, 242–3
Roman Law, renaissance of, 86, 129, 143, 172, 267
Roman Question, the, 467, 487–9, 492–3
Romanticism, 396–7, 408–12, 418, 438
Romoaldo of Ravenna, St., 75
Roosevelt, President, 523
Roscelin of Compiegne, 89
Rose, Guillaume, Bishop of Senlis, 248
Rosmini-Serbati, Antonio, 413, 419, 428, 438, 439
Rossi, St. John Baptist, 355
Rousseau, Jean-Jacques, 306, 346, 356, 359, 363, 364, 388, 393
Rudolph of Hapsburg, 112–13, 121
Ruffini, Francesco, 321
Rufinus, 42

S

Sa, Father. See Probabilism
Sacerdotium and *Regnum*, 75, 76, 83, 90, 111, 113, 124
Sachsenhausen, Manifesto of, 134, 140
Sadoleto, Cardinal Giacomo, 212
St. Bartholomew, Massacre of, 240, 246, 247
Saint-Evrémont, Charles de, 297, 306
Saint-Germain, Edict of (1562), 240, 246
Saint-Martin, Louis de, 348
Saint-Simon, Claude de, 413
Salazar, Oliveira, 483, 543, 544
Salvation Army, 534
Sanctuary, right of, 328–9
Sangnier, Marc, 464
Sanseverino, Gaetano, 546
Santarelli, Antonio, S.J., 261–2, 330
Sarpi, Fra Paolo, 269
Savonarola, Girolamo, 175, 176–9, 182, 187, 202, 210, 216
Scaduto, Francesco, 321
Schlegel, Karl Wilhelm Friedrich von, 410
Schmalkaldic League, 211, 212, 221
Scholasticism, 86, 89, 90, 111, 123, 175, 182, 300, 456

Schuschnigg, Chancellor von Kurt, 505, 542–3, 544
Scott, Thomas, 409
Scott, Sir Walter, 410
Self-determination, 407
Separation of Powers, 362–4
Separation of Church and State, 418, 421, 427, 434
Seripandi, Cardinal, 225
Servetus, Michel, 275
Servites, 104
Sévigné, Madame de, 306
Shakespeare, John, 245
Shelley, Percy Bysshe, 410
Sigismund I, Emperor, 154, 165, 166
Sigismund III (Poland), 264
Simon de Montfort, 102
Simon, Richard, 298
Sirven. See Voltaire
Sixtus IV, Pope, 237
Sixtus V, Pope (Felice de Montalto), 238, 241, 248, 250, 251, 255
Slavery, 22, 24, 171, 191, 425
Smith, Adam, 350
Sobieski, John, 311
Socialism, 411, 424, 435, 444, 448, 451–5, 465, 471, 485
Socinianism, 276–9, 286, 290, 297
Socinius, Faustus, 276
Socinius, Lelius (Lelio Sozzino), 275–7
Sorbonne, 114, 154–5, 162, 183, 185, 246, 253, 257, 262, 298, 303, 315, 316, 325, 343, 345, 348, 386
Sovereignty, theories of, 141, 267–8; popular, 363–4, 377–8, 407, 411–12, 489
Spanish Civil War, 505–17, 518 (1935–9)
Spinoza, Benedict, 310
Stephen I, St. (Hungary), 73
Stephen II, Pope, 55, 56
Stephen VI, Pope, 67
Stephen of Tournai, 64
Stolberg, Friedrich Leopold von, 410
Strossmayer, Bishop of Bosnia and Slavonia, 436
Suarez, Francesco, 191, 249–51, 260, 264, 270, 271, 290, 307
Syllabus, 431–3, 434, 440
Sylvester I, Pope, 33, 57
Sylvester II, Pope, 73

T

Talleyrand-Périgord, Charles Maurice de, 392
Tamburini, Abate, 356
Tannucci, Bernardo, 337
Taparelli d'Azeglio, Luigi, 466
Tavora, Marquis, 335
Telesio, Bernardino, 353
Templars, 89, 106, 118, 146, 148
Temporal Power, 62, 429, 433, 435–6, 440–2, 444
Teresa of Avila, St., 216
Theodolinda (Lombardy), 53
Theodoric the Great, 50
Theodosius the Great, Emperor, 36, 41. Codex of, 39
Theodosius II, Emperor, 36, 37
Thiers, Adolf, 21, 412
Thirty Years' War, 231, 265, 291, 308
Thomas Aquinas, St., 111–12, 119, 120, 172, 173. Thomism, *idem*, 135, 136, 177, 179, 299, 458. Neo-Thomism, 455–6
Thomasius, Christian, 351, 362
'Throne and Altar', 416, 421, 422–3, 538
Tocqueville, Alexis de, 413
Toleration, 275–7; in Holland, 277–81; in England, 281–9, 361; in American colonies, 289–90, 371, United States, 447; in Germany, 290–5, 307–11, 361–2; in Scandinavia, 295; in Switzerland, 295–6; in France, 297–307, 359–60, 371; in Austrian Empire, 360
Tommaseo, Niccolò, 419
Toniolo, Giuseppe, 529, 533
Tosti, Abbot Luigi, 419
Totalitarian State, 452, 480–1, 483, 494, 504, 522, 527, 529–32, 537–9, 544, 560–1
Tozzoli, Abate, 428
Trajan, Emperor, 36
Treitschke, Heinrich von, 451
Trent, Council of, preliminaries, 207, 211–14; first period, 218–22; second period, 222–3; third period, 224–30; outcome, 231–5, 264, 299, 326, 418
Trionfo, Augustino, 144
Troya, Carlo, 419
'Two Swords', Theory of, 63, 84, 91–2, 111, 116, 121, 133

'Two Truths', Theory of, 132, 181, 185, 273–4
Tyrannicide, 143, 161, 203, 252–3, 255–6, 333, 336

U

Ubertino da Casale, 138, 139
Ultramontanism, 379, 401, 402, 416, 426, 438
Unam Sanctam, Bull, 113–14, 118, 251
Unigenitus, Bull, 317, 319–20, 325
Urban II, Pope, 104
Urban V, Pope, 149 (Guillaume de Grimoard)
Urban VIII, Pope, 332
Uytenbogaert, Jan, 325

V

Valentinian II, Emperor, 37
Valentinian III, Emperor, 36
Valentius, Emperor, 39
Valerian, Emperor, 27
Vatican Council, 157, 434–8, 440
Ventura, Father Gioacchino, 417, 419, 422–3, 428, 430, 438
Verdier, Cardinal, 503, 516–17 n.
Verona, Council of, 101
Verri, Alessandro and Pietro, 356
Versailles, Treaty of, 494
Veuillot, Louis, 421, 428
Vico, Gianbattista, 298, 344, 353–5, 408, 559
Victor III, Pope, 109
Victor IV, anti-Pope, 95, 155
Victor Amadeus II (Savoy), 307, 331
Victor Emanuel I (Italy), 434
Victorines, 89
Vienna, Congress of, 391–2
Vienne, Council of, 131, 138, 146, 157
Vigny, Alfred de, 410
Villemain, 420–1
Vincent de Paul, St., 313
Vincent Ferrer, St., 151, 173
Vineam Dei Sabaoth, Bull, 315, 319
Virgil, 172
Vitoria, Francesco de, 270
Volgesang, Baron, 529
Voltaire, François-Marie Arouet de, 344, 346–7, 352, 356, 359
Voss, Johann Heinrich, 410

W

Waldensians, 307
War, right of, 469–71
Washington, George, 369
Werner, Friedrich Ludwig Zacharias, 410
Wesley, Charles and John, 351
Westphalia, Peace of, 231, 239, 272–3, 285, 291, 292, 294, 484
William the Conqueror, 77
William II (England), 77
William III (England), 282, 286–7, 289
William IV (England), 412
William of Champeaux, 89
William I (Sicily), 105
Williams, Roger, 289–90
Wilson, Woodrow, 473–4
Windthorst, Ludwig, 417, 446, 529, 533
Winterer, Canon, 529
Wolff, Christian, 351–2, 353
Wolsey, Cardinal, 204
Wordsworth, William, 410
Wyclif, John, 64, 161, 162–5, 193, 194, 205

X

Xavier, St. Francis, 215

Z

Zabarella, Francesco, 155
Zaccaria, St. Anthony Mary (founder of Barnabites), 214
Zacharias, Pope, 55
Zwingli, Ulrich, 200